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Special Joint Committee on the  
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Canada Indian Act, Special  
Order on the, 1947

(SESSION 1947)



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(SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

(APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

(INDIAN ACT)

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 21-30

MONDAY, MAY 12, 1947

WITNESSES:

Mr. J. P. B. Ostrander, Inspector, Indian Agencies, Saskatchewan;  
Mr. T. L. Bannah, Agent, St. Regis Reserve, Ontario (and Quebec).

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

MONDAY, 12th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Blais, Fallis, Horner, Macdonald (*Cardigan*), and Robicheau.—5

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Bryce, Blackmore, Case, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, Reid, Richard (*Gloucester*).—11

*In attendance:* (From Indian Affairs Branch): Mr. R. A. Hoey, Director; T. R. L. MacInnes, Secretary; H. M. Jones, Supervisor, Family Allowances; G. Patrick, V.L.A.; Dr. P. E. Moore, Indian Medical Services, J. P. B. Ostrander, Inspector, Indian Agencies, Saskatchewan; T. L. Bannah, Agent, St. Regis Reserve, Ontario (and Quebec); also, (from Union of Saskatchewan Indians): Mr. John Gamble; Mr. Joseph Dreaver and Rev. Ahab Spence; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman read a series of telegrams with reference to the inability of Mr. Zimmerman, U.S. Department of the Interior, Acting Commissioner for Indian Affairs, to be in Ottawa to-day.

Mr. Case, by leave of the Committee, read into the record an editorial from Owen Sound *Sun-Times* with regard to the payment of old age pensions to Indians.

Mr. J. P. B. Ostrander, Inspector, Indian Agencies, Saskatchewan, was called, made a statement and was questioned.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

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### AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Blais, Fallis, Horner, McKeen and and Robicheau.—5

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Bryce, Blackmore, Case, Farquhar, Matthews (*Brandon*), MacLean, Reid, and Richard (*Gloucester*).—10

*In attendance:* as at morning session.

Questioning of Mr. Ostrander continued and completed.

The Chairman thanked Mr. Ostrander for the help he had given the Committee. Mr. Ostrander replied in suitable terms.

Mr. T. L. Bannah, Agent, St. Regis Reserve, was called, made a statement and was questioned by the Committee.

The Chairman and the Honourable Senator Horner expressed thanks to Mr. Bannah for his excellent submission with regard to the administration of Indian Affairs on the reserve at St. Regis.

The Committee adjourned at 6.05 p.m., to meet again on Thursday next, 15th May, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
May 12, 1947.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Hon. Mrs. Fallis and gentlemen, we will come to order. This morning we were to have heard from Mr. Zimmerman who is the Deputy Commissioner of Indian Affairs of the United States. Unfortunately at the last moment we have been advised that Mr. Zimmerman cannot be here to-day. I will read to you the telegrams which have been exchanged:

### DEPARTMENT OF MINES AND RESOURCES

#### INDIAN AFFAIRS BRANCH

OTTAWA, May 12, 1947.

Copy for the information of the Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act.

Mr. Johnson, Department of External Affairs, telephoned this office 11.45 a.m., May 10, 1947, re

Extract from telegram dated May 9 from Canadian ambassador to the United States:

We are informed by State Department that Mr. Zimmerman acting chief of Indian Affairs is going to Ottawa tomorrow and that he has been in touch with Mr. T. R. L. MacInnes of the Canadian Indian Affairs branch. All arrangements have been made between them for hotel accommodation. etc.

Copy of telegram from Mr. William Zimmerman, May 12, 1947, time 6.58 p.m.

MOA389 14-Washington DC 10 533P  
Ottawa

Regret committee hearing Monday requires postpone trip could come later next week if desirable.

(Sgd) WILLIAM ZIMMERMAN

Copy of telegram from Mr. William Zimmerman, May 12, 1947, time 9.11 a.m.

MOA58 9 GOVT-ID WASHINGTON DC 12 834A  
Ottawa

Confirming Saturdays telegram regret unable attend parliamentary hearing to-day.

(Sgd) WILLIAM ZIMMERMAN, Jr.,  
*Acting Commissioner.*

I understand that Mr. Zimmerman has to appear to-day before a congressional committee, and of course we have no authority there. It was merely as a courtesy that he was coming here so that we can only regret that he will not be here to appear before our committee to-day.

Those members of the committee present who are on the subcommittee may take this as notice that to-morrow afternoon we will meet at a time and place to be appointed for the purpose of discussing when we are going to hear from Mr. Zimmerman, and the further business to come before the committee.

We have with us to-day some of the Indian delegation from Saskatchewan. I note also that Mr. Ostrander, the inspector of Indian agencies for the province of Saskatchewan, is here. If it is your pleasure we will hear him to-day. But before doing that I think Mr. Case has a matter which he wants to bring to the attention of the committee.

MR. CASE: Mr. Chairman, I want to draw the attention of the committee to an editorial which appeared in the daily *Sun-Times* of Owen Sound, the issue dated May 9, 1947. With your permission I will read it:—

### THE INDIANS DON'T GET PENSIONS

The Senate has adopted a report asking that the government consider granting old age pensions to Indians.

Most Canadian citizens, we imagine, were unaware of the fact that Indians are not now receiving old age pensions. Oft-times we tend to regard the Senate as entirely useless, but it has justified its existence this year if it does nothing more than draw the attention of Canadians to this discrimination against the red man.

We wonder in how many other ways the treatment accorded Indians differs from that accorded other residents of Canada. A brief, but comprehensive, report on this matter should be of general public interest.

There may be a minority who will consider that, inasmuch as the Indians receive treaty money, they are not entitled to social service benefits. We believe, however, that the majority of Canadians will consider that any special privileges which Indians receive are scant remuneration for the acquisition of their homeland by the white man and that these Indians, in addition to treaty money, are entitled to receive treatment identical with that accorded other residents with respect to pensions and similar services.

I have read this editorial because it calls attention to a resolution passed by the Senate which makes certain recommendations for consideration of the government. I do not as a rule subscribe to doctrines of this kind, but in this case inasmuch as it is based on a resolution of the Senate I think it is the type of editorial to which we might give some attention. Of course, we all have very high appreciation of the action the Senate took in this case.

The CHAIRMAN: What newspaper was that?

MR. CASE: That was the Daily *Sun-Times* of Owen Sound, the issue of Friday, May 9, 1947.

The CHAIRMAN: Thank you, Mr. Case, I think that has been duly noted.

MR. CASE: It is significant, I think, because a lot of people do not realize that Indians do not receive these benefits as the white people do.

The CHAIRMAN: Thank you very much. Now I will ask Mr. Ostrander to come forward:

**Mr. J. P. B. Ostrander, Inspector of Indian Agencies, province of Saskatchewan, called:**

The CHAIRMAN: There is another matter before Mr. Ostrander proceeds. We were to have heard from Mr. Zimmerman. Now, Mr. Zimmerman is not

here and I know that there is a great deal of work which private members in the House have to do and they would certainly appreciate an opportunity of getting some of it done, so to-morrow there will be no meeting of the committee unless, of course, you should decide to hold a meeting; but it is not now the intention of holding a meeting to-morrow. You have that day's leave.

*By the Chairman:*

Q. Mr. Ostrander, what position do you hold in the Indian Affairs branch?

—A. I am the inspector of Indian agencies for the province of Saskatchewan, Mr. Chairman.

Q. How long have you been with the department?—A. I started in July of 1919.

Q. In what position?—A. In the position of a Grade II clerk.

Q. Were you associated with some reserve?—A. At the Duck Lake Indian agency, Saskatchewan.

Q. What is your present age?—A. I am nearly fifty-one.

Q. How many do you have under you in your present capacity in the province of Saskatchewan?—A. I have nine Indian agents, twenty-seven farm instructors and about the same number of day school teachers.

Q. Just a little louder, please, so that all can hear you.

Hon. Mr. STIRLING: What was the last part of that answer, please.

The CHAIRMAN: "About the same number of day school teachers."

*By Mr. Case:*

Q. Did you have any experience as an agent?—A. I was an Indian agent for twenty-one years.

Q. How long have you been inspector?—A. Since the end of March, 1945.

*By Hon. Mr. Horner:*

Q. Where were you stationed?—A. At Saddle Lake in Alberta and at the Crooked Lake, Pelly and Battleford agencies in Saskatchewan.

Q. What is the wealth, or the money held in reserves from the sale of land by the various bands in the province of Saskatchewan; what would be their share of the Indian money; have you that?—A. I haven't that information exactly. I have it approximately.

The CHAIRMAN: Would you care to give it to us approximately?

The WITNESS: I do not think I should answer that. I would rather give you the figures exactly.

Mr. RICHARD: You say you have so many teachers; what is your work in connection with education, is it agricultural?

The WITNESS: It is an effort to see that the people comply with departmental regulations and the curriculum for the province as well as to be a good object lesson to the Indians with whom the teachers are living—not only the children, but the parents of those children; and to do what little social service work they have time to do; and to look after the buildings and the day schools, of course—repair, construction and maintenance.

The CHAIRMAN: Are there any further preliminary questions? If not, proceed, Mr. Ostrander.

The WITNESS: I would like to begin, Mr. Chairman, by repeating that I believe the Indians who appeared before you as representing the Indians of Saskatchewan can well represent a majority of the Indians of that province. Of course, I know there are a few shorter briefs submitted by small groups of Indians in Saskatchewan who have some ideas contrary to the general substance



of the brief of the Union of Saskatchewan Indians; and I realize, of course, that these briefs will be given full consideration. So that while I endorse most of the remarks made by those who appeared I would also like to say that I endorse several remarks in the other briefs which have not been brought to the attention of this committee except in written form.

I would also like to say that I am proud of the presentation which those Indians made before you, and I wish to thank you for the reception they were given. They are all, I think I can say, friends of mine. I have known them for many years. I know them to be outstanding people in Saskatchewan and I believe they are people who have made a study of Indian problems for many years.

I have gathered from reading your reports and from what I have heard here that the whole attitude of your committee is one of benevolence toward the Indian and I would like to say that we in the field have the same benevolent attitude toward the Indian; nearly all of us, and the officials in our branch here as well. We in the field who have lived with them for many years have seen unpleasant things which few of you know anything about and which the Indians have not had a chance to bring before the people of Canada. This is the first opportunity they have had of presenting their case fairly and justly. Individual cases have been taken up and dealt with mostly as a result of action taken by more aggressive Indians. I am sure you will realize that on the reserves there are many Indians who have difficulties. We are not aggressive and have not any other recourse than to deal with their problem through their farm instructor and their Indian agent. And in this connection I would like to say that the farm instructor is the one who lives with them, beside them, sees them daily and nightly, three hundred and sixty-five days a year, and he handles hundreds of small problems that no one else ever knows. He settles them himself to the satisfaction of all, and most of them are very benevolent toward the Indian in all things. It would be necessary to have larger appropriations if you wish to carry out the things that are needed. In fact, we will need much larger appropriations. During the twenty years that I was Indian agent the people of Canada and parliament were not always generous with the Indians, if you will excuse me for saying so—rather the reverse; and while you may think there was neglect out in the field during that period most of us worried more about trying to raise a little bit of money to do the things that we knew needed to be done rather than trying to dodge what we knew to be our duty.

The whole future of the Indians depends on education and welfare services; that all costs money. There is no education that does not cost money. Education is the key to all these things; and all the deliberations will fail unless parliament is going to see the need for supplying a great deal more money than we have had in the past. Excuse me for being frank, but I have contended with that situation for so long that I welcome an opportunity to be honest and straightforward in giving my evidence. I would not be doing my duty toward my position and toward my Indians if I did not say these things:

Many bands in Saskatchewan have funds of their own which, in a great majority of cases, have come from the sale of land. The land was surrendered by a vote of the band and sold—some was leased—but most of it was sold, and that was credited to their account in Ottawa. It looks very nice to have large balances in their accounts here, but in order to accumulate those balances land had to be sold; I do not think wisdom was used in all those sales. We have some reserves now where we have a fairly large balance accumulated, but where we are now short of good agricultural land on those same reserves, because the Indians have increased in number and have become more interested in farming; and in three cases, to my knowledge, more land was sold than should have been

sold; and now when we try to develop farming on those reserves we have not as much agricultural land as we should have. It is also true that on many reserves you will find thousands of acres of agricultural land not being used, but those are the individual bands concerned; and it is of no use to say that the Thunder Child band has a big balance here when they need agricultural land and some other band has a lot of agricultural land which they are not using. That does not do the Thunder Child band any good. And so when we brag a little bit about the balances they have accumulated we must not forget that some of these reserves may have to buy land some day. Some of those reserves where moneys have accumulated will face the necessity of having to buy land some day at a great deal higher price than the price for which they sold part of their reserve. I can see that in the future.

We are very short of teaching facilities in the province of Saskatchewan. To have ample school accommodation we need forty more day schools. They cost a lot of money. Naturally, we will need at least forty teachers to supply those day schools. Some of them would have to be two-room schools and would require two teachers. We are building four schools this year. We have an appropriation for four if we can get the material. After we have them built our problem is not all solved. We have to find teachers for them. We have one school closed now, but at the beginning of the present school term we had four schools closed. We are trying to get teachers. Some of these teachers we have are only filling in because they are not qualified; we could not get qualified teachers. There is a shortage of teachers all over the province, and where there is a shortage of teachers naturally those who are in the profession have the choice of schools. I am sure that you will understand that if a teacher can get \$1,500 a year living in a town, village or city, that that teacher is not likely to accept the position on an Indian reserve, probably living alone with no neighbours but the Indians, at a salary of \$1,000 a year. Now, I believe teachers' salaries are going to be increased, but they have not gone up yet. In trying to find teachers we have always been faced—perhaps I should not say always, but for many years—with the question of salaries. There was a period from 1930 to 1937 when the Indian day school teacher was getting a better salary than the majority of country school teachers in Saskatchewan, but that is not so now, and if we are going to get teachers they will certainly have to be paid a larger salary. That is, if we want to get good teachers, and we must get good teachers. It calls for the very best teachers to be of any use on an Indian reserve—the very best—not just any teacher. There is not any teacher who is too good for an Indian reserve because those teachers need qualities that teachers in general do not need when teaching white children in villages and country schools. So we must have the best teachers eventually. My latest statistics show that there are 909 children of school age in Saskatchewan, that is Indian children, who have no school available for them. All the schools we have are filled, and some of them are crowded. Now, you will see that when you compare 909 with that figure of forty day schools which I mentioned, some of these schools will need to provide facilities for fifty or sixty pupils while others will only have to provide facilities for ten or fifteen. However, because there are only ten or fifteen children at a certain point they must not be deprived of the right of getting an education. This figure of 909, of course, includes many children in the far northern part of the province who have been untouched by any kind of education—absolutely untouched. Their parents have never thought of education except at such times as we have discussed the matter with them. The education of those children is a problem all by itself. Their parents do not and cannot stay in one place very long. They make their living by travelling to the trapping grounds and the fishing grounds; and the best we can hope for there is either part-time day schools or residential schools. When I say part time that part time may be short because



sometimes families will remain in a village only for six weeks or two months at a time, depending on trapping and fishing conditions. However, I should mention here that the northern Indians—the Indians in the northern part of the province—furnish a problem by itself. The area is enormous; travelling facilities are bad. During part of the year it is impossible to travel and during the rest of the year travelling is very expensive and is done mostly by plane. These Indians have had little contact with the white man. Their contact with the white man has mostly been with the trader, the trapper and the missionary. They have not always been well served by the trader, and I think probably that is one reason why there is some suspicion in their minds. We have not heard from this delegation much of the viewpoint of the northern Indian toward the white man, but his past has not been very happy. It seemed to him that he was working for the trader during his whole life. He did not have money in his pocket; the best he could hope to do was to keep his credit good with the trader. That is all he was ever able to do. And by keeping his credit good that meant he was in debt. They do not use the word "credit" in the north; it is "debt". If an Indian is able to have a good debt with the trader that Indian is considered to be as prosperous as he ever becomes. That means that the trader will advance him a fairly large amount of money each year to go on his trap line; but if he does not come back to that trader with his fur his credit is spoiled and his family will suffer. That is what I mean when I say that the Indians of the north think that they have spent their lives working for the trader.

Taking a line at about Prince Albert and Meadow Lake across the province from east to west, from that line north the majority of the Indians have always depended upon fur and fishing for their living. From that line south the white man has gradually been settling the country until the trapping in the area south of that line has become very limited. So the department has had to find some other means of livelihood for the Indian; it has had to teach the Indian and to assist the Indian to try to make a living when crowded into the reserves by the white man. When the original treaties were made, although both the Indians and the treaty commissioners were very far sighted and did reasonably good work, many of them did not foresee the time when the Indians in the central part of Saskatchewan would have no more fur, no more fish and no more wild meat, but that time has come. There is nothing left for those Indians but farming, live stock raising and day labour. Day labour is very uncertain. During the war period there was work everywhere for the Indians, and their labour was much in demand. But when there is an over-supply of labour the Indian is the first one to feel it. In other words, in good times he is the last one hired and in hard times the first one let out. Therefore, if what we call a depression comes those Indians who are depending on day labour will need close attention by us and they will need a lot of assistance.

Day labour to the Indian is mostly assistance on farms. The farmers of Saskatchewan do not hire very many labourers now to work with them on their farms. They have gone in for heavy machinery. What we used to call threshing gangs have nearly ceased to exist. Threshing is done by one or two men with a combine. Where we used to see 12, 15 and 20 Indians working on a threshing crew that is not seen very much any more in most areas. That source will not be available to the Indians in the future.

The same thing applies to work in the woods, on the roads and those other jobs. They are being done by big machinery with fewer men, and the Indians feel that. We have concentrated on farming and live stock raising, and we must concentrate a great deal more on it in the future. That costs money.

The Indian started farming in his own little way with oxen. They got too slow and he changed to horses. Now the majority of the Indians think horses are too slow. Most of their white neighbours also tell them they are.



In 1936 I do not believe there was a tractor working on an Indian reserve in Saskatchewan. I can find no record of it. This spring we expect to have 87 tractors working. Those tractors are capable of breaking 20,000 acres. I do not say they will break 20,000 acres. The total acreage under cultivation on Indian reserves in Saskatchewan is approximately 59,000 acres now, but we have the facilities, if they are put to full use, to increase that 20,000 acres a year. It climbed in 50 years to 46,000 acres. In the next two years it climbed to 59,000 acres. We have the facilities now for it to climb at the rate of 20,000 acres a year if they are put to full use, so that we have more hope for the future in farming.

Most of the Indian reserves have bush land that could not be broken very easily with horses. When you take a four-horse team into the bush you do well if you get 10 acres of bush land under cultivation in a year. Few Indians did even that because it is very discouraging work. I know that some of you gentlemen have done it. It is heartbraking to try to go into raw bush land and get enough under cultivation to make a living for your family. The Indians were not born to be farmers. Few Indians were fond of farming or sitting on a plow or cropping out bush. Consequently progress was very slow on the reserves until we got these tractors. Many Indians now operate tractors and like the operation of them. They can see the results from their work. There is a big difference between breaking 10 acres in a day with a tractor and breaking 10 acres in a year with horses. There seems to be some hope in the future when you can break 10 acres in a day. We have done it with tractors, not in an eight hour day, but using all the daylight there was. I think there is some hope for the future in farming, and particularly grain farming and live stock raising. We have to concentrate on that in most of these reserves of the southern part of the province because there does not seem to be anything else.

It is true that most of those young school graduates will have to be taught to like farming before they will be successful. I do not know that many people are born to like farming, white or Indian. They only like farming if it pays, and it will only pay if you can cultivate enough land to make it worth while. Therefore when we speak of education for quite a fair majority of the young people of Saskatchewan that education will have to be along those lines, making a living farming or live-stock raising on their own reserves. They do not all take to that, and will not all take to it. We will have to find other means by the use of technical schools and advanced education.

The Indian child is not very fond of poring over books day after day. Some remarks were made before your committee and by your committee as to this question of putting in full time in the class room. Please let me remind you that when the Indian child first goes into a class room in many cases it cannot stand a whole day in the class room. They have never had to do anything like that before, to sit at a desk hour after hour and day after day, so that the beginners are allowed a certain amount of freedom and have to be until they get used to it. It will not do to make a hard and fast rule that Indian children must stay all day in the class room. They should be given all the class room work they can handle. I agree with that, but I do not think that the full day in the class room will do it all. They will have to be allowed a chance to get used to it. As they get older, of course, it comes easy and in the higher grades they might then spend full time in the class room.

We now consider that they do not have to attend after the age of 16, but when they are discharged at the age of 16 they are not ready to face the world. Something else has to be done. That is where we are going to need the social service worker to fill in that time between the age of 16 and the age of some acceptance of responsibility. What good is it to send an Indian child to school to the age of 16 and drop the child at that time? They have to have something

to carry on. We have some plans in that connection but that means a lot of staff. Many reserves have ex-pupils who have been discharged from schools and have come back to reserves where there was not even a farming instructor. There was nobody to continue teaching them. The agent saw them occasionally and tried to encourage them a little bit, but all Indian agents have more to do than they can handle. They have not the time to devote to the individual child on a reserve. Sometimes the Indian agent might not see that child for six months. He can do nothing. Much of the Indian agent's time is taken up with the day to day problems of people who are already at work trying to gain a livelihood. So much of his time is taken up with that he has little time to bring others along. That is where the social service worker is needed.

Regarding that part of the brief of the Union of Saskatchewan Indians which refers to Sections 40 and 41 of the Indian Act there was not much discussion devoted to those two sections but they are important. I wish to go on record as recommending that they remain.

The CHAIRMAN: You might point out what sections 40 and 41 refer to.

The WITNESS: Section 40 refers to the control of the sale of cattle and section 41 refers to the control of the sale of grain, in the Prairie provinces.

The CHAIRMAN: Perhaps I might read those sections now. Section 40 reads:—

40. No person shall buy or otherwise acquire from any band or irregular band of Indians or from any Indian and no Indian shall sell or otherwise dispose of to any one other than a member of the band any cattle or other animals of any kind from any reserve in the Province of Manitoba, Saskatchewan or Alberta or the Territories without the written consent of the Indian Agent.

41. No person shall buy or otherwise acquire from any band or irregular band of Indians, or from any Indian, and no Indian shall sell or otherwise dispose of to any one other than a member of the band, any grain, root crops, or other produce from upon any reserve in the Province of Manitoba, Saskatchewan or Alberta, or the Territories, without the written consent of the Indian Agent.

*By Mr. Farquhar:*

Q. That just applies to Saskatchewan?—A. The three prairie provinces.

*By Mr. Case:*

Q: How will he ever become self-reliant with that sort of restriction?—

A. Of course, I would not make that statement without having given it a great deal of thought and being prepared to give my reasons. Western Canada was settled on the credit system. It would never have settled as fast as it did without that. The financial people carried the wholesalers; the wholesaler carried the retailer, and the retailer carried the farmer. That is how western Canada was settled. On Indian reserves we are at the stage of settlement of Indian lands of making settlers. We are at the stage where the province of Saskatchewan was thirty years ago when people did not have money in their pockets from the harvest of their crop in October to carry them through until they harvested their crop again.

*By Mr. Richard:*

Q. Why do you differentiate between grain and furs? He can sell his furs without a permit, can he not?

The CHAIRMAN: I wonder if we could reserve questions until he has finished. You know the practice of the committee is to withhold questions until such time as the brief has been presented. Then you will all be given an opportunity to ask whatever questions you like to ask.

Mr. REID: In a point of order, he started to elaborate on this, and I think Mr. Richard's question is quite in order and pertinent here. He is dealing with the subject now, and he was beginning to elaborate on why we should not change the Act with regard to grain and cattle. Mr. Richard asked him quite rightly to explain why there was a difference as to furs.

The CHAIRMAN: It is not my personal opinion. It is what the committee has decided. If it is your wish to change it is quite all right with me.

Hon. Mr. McKEEN: You have changed it yourself by asking one question.

The CHAIRMAN: I do not think I asked a question. Did I not read a section of the Act so as to familiarize you and myself with what he was talking about?

Hon. Mr. McKEEN: It led into this question.

The CHAIRMAN: If it is the pleasure of the committee we will have that question answered. Can you elaborate on that question of Mr. Richard?

The WITNESS: I believe I covered that in my remarks about the fur of the north. The trader has done that. The trader has carried the Indian in the north.

Hon. Mr. HORNER: He was no different to the white man. The more he owed the surer he was of support for the summer and credit for another year.

Hon. Mr. McKEEN: Why should not the Indian agent control that just as much as grain if he is going to control either one?

The WITNESS: I do not see any need for it at the present time.

*By Mr. Case:*

Q. The agent does not put any money into that work?—A. No.

Hon. Mr. HORNER: My objection is that in the past instead of being a help it has been an abuse. In other words, the cattle were not always sold to the best advantage. They were sold to some particular friend of the party very often.

Mr. FARQUHAR: Is that not true of the fur?

Hon. Mr. HORNER: In many cases I believe the Hudson Bay Company treat the Indian very well nowadays. That is my impression. At least some of them are fairly well to do. If they have a good year and fur is plentiful and a good price they have money as well as paying their debts. If they have a poor year and they come back the Hudson's Bay people, if the men are reliable and good trappers, take care of them until the next winter.

Mr. FARQUHAR: In some parts of Canada others buy fur, besides the Hudson Bay Company.

Hon. Mrs. FALLIS: Would the basis for that distinction be that in connection with farming it is government money invested there, and in connection with fur trading there is no such money invested?

The WITNESS: That is one distinction.

Mr. CASE: The trader's money.

Hon. Mrs. FALLIS: It seems to me that live stock and grain fall into a different category because it is not a purely independent transaction as fur is.

*By Mr. Farquhar:*

Q. Is there government money invested? Is it not just a question of credit extended?—A. I was coming to that. I wanted to explain—

The CHAIRMAN: At this point would you consider letting Mr. Ostrander complete his brief? You see what we are getting into. You will have every opportunity later to examine him.

The WITNESS: I mentioned that we will have 87 tractors working this spring on the Indian reserves in Saskatchewan. Those tractors are not all paid



for. A great many of those were bought. The agent recommends their purchase to the department and the department has loaned the money, but the Indian agent would not have made that recommendation if he had thought that he would have no control over the sale of the grain produced as a result of that tractor. We are already involved to a certain extent. That applies to grain. With regard to cattle we are spending about \$14,000 to \$15,000 of the taxpayers' money in Saskatchewan this year to buy purebred bulls to improve the herds.

Hon. Mr. HORNER: Would many of the reserves have herds?

The CHAIRMAN: Just a moment, please, we will reserve our questions until the witness has completed his presentation.

The WITNESS: The quality of the cattle on the Indian reserves averages considerably better in Saskatchewan than the quality of the cattle among their white neighbours, because the government has paid for these pure bred bulls over the years. We have among the Indians in Saskatchewan about 7,000 head of cattle—7,419 animals is my latest figure. I will admit that that is not a large figure, but the number is increasing. We bought more of these bulls this spring than is customary because on a number of the reserves the needs are greater because there are more cattle, and we paid a higher price, I believe, than has ever been paid before. I do not think we would be justified in that expenditure of money to raise the quality of the herd if we do not see that some good would be derived from it. On most Indian reserves where there are cattle of course the cattle are watched by the cattle buyers. They know the cattle nearly as well as the Indians do, and they want these cattle because they are good beef animals. They know that there are on some of the reserves cattle owners who at certain times in the year would sacrifice an animal which is not ready for the market because the Indian at the time is in need of money. Well, as long as section 40 is in effect, if the Indian has cattle that are being fitted for market, the Indian agent is quite safe in advancing him money for immediate needs, or advancing him credit, because the agent has the protection of section 40. He could not do so without section 40; he dare not do it. Therefore, instead of the Indian getting credit and selling the steer only when it is ready to sell, the Indian would sell the steer as best he could to a greedy cattle buyer if you delete section 40. Those are my reasons; and when I say these things I recognize very well that the Indians need more responsibility among themselves. I fully realize that. But in their own treaties they have kept the white man at arm's length to the extent that no bank manager can lend money to an Indian because he has no security and he cannot fix security on an Indian reserve. So an Indian's only source of temporary credit is his Indian agent; and in these cases sections 40 and 41 have the same effect of protecting the indebtedness for the man who advances the money just as a lien note which the white farmer would have to give his bank manager if he were going to borrow money to buy his seed grain, binder twine, or pay his threshing bill.

Hon. Mr. HORNER: May I make this observation, Mr. Chairman? It is my understanding that the Saskatchewan delegation in their brief recommended that. I thought it was just individual opinion.

The CHAIRMAN: If you will just make a note of that, Senator, I am sure we can discuss it later.

The WITNESS: Mr. Chairman, there are two clauses in the brief of the Union of Saskatchewan Indians asking that these sections be deleted. That is why I mention the matter. It was not discussed by the Indians here but that recommendation is in the brief.

Now, with regard to more responsibility among the Indians on their reserves. If the Indians and the chief in council take the responsibility upon themselves for collections from borrowers among their own people, those who borrow from band funds, or those who make advances—and of course I refer to the bands which have funds and that does not apply to all bands—if chief and councils would take it upon themselves to make the collections I think the chief in council then should accept the responsibility of issuing permits for the sale of these animals. But they are going to be the collectors and the lenders, and they would relieve the Indian agent of what has always seemed to him to be his responsibility. That is, when the Indian was temporarily restricted, in need of money to improve his home or to buy a horse or to buy a wagon, and had stores to be sold later on, the Indian agent always thought it was his duty temporarily to issue credit to the Indian; and in many cases that was done by merely issuing an order on a vendor guaranteeing the payment in the fall when the stores were sold. If the chief and council assume these responsibilities and the vendors accept the guarantees of the chief in council it would relieve the Indian agent of some responsibility and throw it on the chief in council who would, of course, have to assume responsibility. That is my stand.

MR. LICKERS: And that would be the stand of the Alberta Indians as well, I take it.

THE WITNESS: That applies, of course, to bands with funds; and I would say that the principle applies to forty per cent of the Indians in Saskatchewan. I am not very sure of that figure but I would say less than half. The only means for the others are these temporary advances to which I have referred. They are made through the agent to the department and the agent guarantees them. He gets authority from the department because he can control the sale of the grain in the fall until he gets the indebtedness paid up; and the same with the sale of cattle in the fall. You have it in one of your briefs here—in the brief of the Duck Lake Indians—they submitted a separate brief, and they have asked that sections 40 and 41 remain; and they have the best herds of cattle in any Indian agency in the province—per capita of Indians I mean.

Before passing on, Mr. Chairman, shall I wait for questions on that subject?

THE CHAIRMAN: No, I think if you will just complete your statement, then we will ask questions. Members of the committee will be making notes of questions they might want to submit to you.

THE WITNESS: I suppose you now know that the Indian population is steadily increasing; but I meet many white people, quite intelligent people, who still speak of the dying race, they believe that the Indians are going to die out. We Indians are increasing steadily. Medical services have improved wonderfully in the last fifteen years, although we have a long distance to go before we can brag about them.

HON. MR. HORNER: Right there, how does the rate of increase in the province of Saskatchewan compare with the other provinces?

THE WITNESS: It has been averaging about two per cent per annum in Canada and I believe you will find that the figure for Saskatchewan is about the same.

There are several reserves in Saskatchewan at the present time where there is probably no medical attention whatsoever. They are mostly in the Onion Lake agency. That, of course, is in the hands of the Department of National Health and Welfare and has been the subject of a discussion between Dr. Moore and myself within the last few days. An officer of his branch is visiting that area with me this summer to investigate, and I think that situation will be looked after. But I would say that there are now about twenty-seven reserves in the province of Saskatchewan where medical services are completely satisfactory.



By that I mean a doctor is on call at short notice. There are programs of X-ray, vaccine, inoculation and general health instruction. On the remainder of the reserves we have overworked full-time doctors and overworked part-time doctors who do the best they can. But in spite of that the health of the Indians is gradually improving and the percentage of tuberculosis is gradually decreasing, thanks to a good program of T.B. control in the province of Saskatchewan. I believe there is no better program in Canada. Doctor Ferguson is one gentleman who should not be overlooked when you speak about that. He is not in the service of our department, has never been; but he is the one man who first became deeply concerned about the T.B. question among the Indians. It was through his influence that Doctor Symes was appointed, and Doctor Symes and Doctor Ferguson have been wonderful in the results produced from the funds provided. I mention that because there is a lot more money needed and considerably larger funds will have to be provided.

Now, with request to the question of old age pensions. It is true the Indians of Saskatchewan never received old age pensions. We are expecting now that they will and we are all very happy about it. To the Indian destitute we issue rations. We who have the job of handing out those rations were never very proud of the quantities, or the quality either. There is very little attention paid to vitamins and so forth; it was just something to fill them up with. We did all we could with what was provided. The ration has become more generous in recent years, thanks to some of the new Indian Affairs officials who brought pressure to bear on those others who do the providing of the money. It has become a little bit more generous but we are still not proud of it. So I am certainly in favour of plans for proceeding with the provision of old age pensions for these people. But remember that in Saskatchewan not over 35 per cent of those who are receiving what we call destitute rations will be eligible for the old age pension. What about the other 65 per cent who are just as badly in need as the others, either through sickness, physical disability or mental disability? They have all been rationed, but many of them will not be eligible for the old age pension. We will still have to provide for them. And I would recommend that if they are still to be provided for, sustained by rations as formerly, those rations ought to be more generous, much more generous and varied.

With regard to housing—I may as well introduce the subject myself—we are not proud of the housing situation in Saskatchewan. We have about 920 Indian families in Saskatchewan badly housed. We have about 650 families that can be called well housed. In between there are 700-odd families living in houses that are, well, just passable. There is an enormous job to get the housing up to what it should be, and that job will not be finished when the houses are built. Many Indians will have to be taught by social service workers how to make use of those houses when they are built. I was agent at an agency in Alberta where a housing scheme of four-room cottages was started. They were very nice four-room cottages, but outside most of these cottages there was a log shack which was occupied in the winter by the family. In the winter when the need for a properly ventilated house was the greatest the family lived in that log shack beside the house—a nice four-room cottage. But that is part of this training that is necessary, very necessary, by social service workers. When the Indian people realize the benefits of living in a good home then the houses which we hope we will build will do something. But to spend \$2,000,000 in Saskatchewan to provide homes that we need badly is not the end of the job, that is the beginning of the job; because until the Indian people learn the benefits of living in a better house the money will be wasted. I talk about spending \$2,000,000 on homes, but you could not buy \$2,000,000 worth of lumber in Saskatchewan now if you had the money with



which to go out and buy it. It can't be done. We haven't a very large appropriation this year for improving Indian homes and building new ones, but I doubt that we will be able to make use of all of it because it is so difficult to get materials and so difficult to get anyone interested in building. If we can get a contractor to build, and if we have Indians on the reserve who can do the building, and if we can get the lumber, we will use all of that money this year. But there are those three "if's". We did not use all the money that was offered us for building last year because we could not get the materials, and I am not very optimistic about being able to do it this year.

There is one other great need on the Indian reserves in Saskatchewan which I mentioned before this committee—the need of roads. You know, the services of a doctor are useful only if the doctor can get to the sick person. We have many places on the reserves in Saskatchewan where a car could not go, many places. The result is that a doctor, when we do get him, gets as near as he can to a patient and then we have to find a way of getting him the rest of the way. Now, I am sure you will agree that a part-time doctor with a big white practice who knows he is going to sit behind a team of horses plodding through mud for half a day to see a sick patient will not be very enthusiastic about going, whereas if he can get into his car and get out to the patient and get back as soon as his visit is finished, he would be much more agreeable, much more enthusiastic about the trip. So we do need a system of roads. I would like to see a system of trunk roads on every reserve, and that means going into the heavy, modern road machinery. We have been putting out hundreds on small appropriations for road work as long as I have been connected with the Indians and we still have no roads. We can never have roads on reserves until we have modern machinery that will build a road well and quickly. A couple of teams of horses and a couple of drag-scrapers can spend a week on a piece of road and one heavy rain will wash it all away. That is what we have been doing for thirty years. One heavy rain will wash out about all we do on a road in one year. We have got to have good road machinery, and I would like to see at least two complete outfits of heavy, modern road machinery in Saskatchewan. Then, believe me, we are only starting at that. I will not be satisfied until we can build roads like the white man is building them, until we are able to build them in such a way that they will not be washed out every time it rains.

I wish to thank the committee for their close attention, and if I have been able to suggest anything which will contribute to the future welfare of the Indians of Saskatchewan, in whom I am deeply interested, I will be very happy.

The CHAIRMAN: Thank you very much, Mr. Ostrander. Now, according to practice we will devote the balance of our time this morning to questions, if you have no objection. If you have no special questions you wish to direct at this time, we will start the general questions over here with Mr. Reid, at my left.

Mr. REID: In your opening remarks, Mr. Ostrander, you referred to the fact that you supported certain views which were not in the brief of the Union of Saskatchewan Indians; I was wondering what you meant by that? What was contained in the other briefs,—I don't want you to go into it exhaustively—which was not in the brief submitted by the Union of Saskatchewan Indians?

The WITNESS: Mr. Chairman, I did not mean to say that I knew the contents of all the briefs you have received; I am not suggesting that for a moment; but I have had different groups of Indians say that they wished to submit briefs separate from the brief of the Union of Saskatchewan Indians. Copies of two of those briefs were sent to be my the Indians.

The CHAIRMAN: Do you know from which reservations?

The WITNESS: One was the brief of the Chief Stanislaus Almighty Voice of the One Arrows' band, the other was the brief of the Duck Lake Indian band.

The CHAIRMAN: I believe both those have been printed, if we received them.

Mr. REID: Is treaty money still paid to the Indians in the province of Saskatchewan?

The CHAIRMAN: The answer is, yes.

*By Mr. Reid:*

Q. I was wondering if in your opinion, after having seen the way in which the money is being used, you had any suggestions to make as to whether or not this payment of treaty money should be discontinued. My question to you is: Do you think the method of giving out that money could be improved rather than by holding a gala day, the way it is done now, where the money is handed out to everybody at the same time? I was going to ask you if in the light of your experience, you could suggest that the treaty money be handed out in some different way?—A. Mr. Chairman, I am sure you will have gathered from listening to the statement of the Indians that their view toward this matter of treaty money is very strong. The payment of treaty money annually in the form in which it has been done is to them just about the most important thing in their lives. They look upon it as a rite—I mean r-i-t-e.—handed down to them by their forefathers, a right which was embodied in their treaties to present themselves to the representative of the Queen—nowadays of the King—to accept \$5, and by the mere act of acceptance renewing their promise to be a good subject of the King. I do not think that very many Indians pledge away their treaty money in our province, not that I know of.

Q. Perhaps it has been answered. If it has been answered you need not answer it now, but why is there no schooling for the 909?—A. Neither schools nor teachers.

Q. You have some experience with the schools. You go around the schools, do you?—A. Yes.

Q. Is the book learning similar in all schools?—A. Very similar, yes.

Q. Regarding sections 40 and 41 if an Indian is not in debt why would it be advisable to hold him to the terms of those sections? I can see some good in keeping him under sections 40 and 41 if he is in debt, but if the Indian is well off and not in debt why should he be held under those sections and not allowed to sell his cattle or grain?—A. The only object that I can see in that is that you are being a little unfair to the buyer if you expect him to know what Indian is in debt and what Indian is not in debt. I mean the buyer of the grain or cattle.

Q. Would the buyer not know before he went there? The affairs of the Indians are pretty well known to the merchants and buyers before they go on the reserve. They know who is in debt and who is not in debt. I do not think that answer covers the question.—A. I do not know how the local merchant, the grocer, lumber merchant, cattle buyer or implement dealer would know the financial circumstances of all Indians.

Q. Do you not think that an experienced cattle dealer would speak to the local merchants before he went on the reserve? If he were going on the reserve to have dealings with Tom Jones he would go to the merchant and say, "How is he?" He would be a very slack business man if he did not ask that. That is the usual precaution he would take. I cannot conceive of a merchant going on to the reserve without that information. Therefore I come back to my question. If the Indian is not in debt and is well off why should he be precluded from selling his cattle and grain?—A. There is no other reason than that reason. I would think anyone who, for instance, sold an



implement to an Indian expecting the Indian to pay for it with a steer would have no way of knowing that steer was not already pledged to some other merchant.

*By Mr. Matthews:*

Q. Could he not get the information from the agent?—A. Not unless the agent had the power under Section 40 of the Indian Act because how would the agent know that in the meantime the Indian had not already sold the animal?

*By Mr. Case:*

Q. You mentioned you have 59,000 acres under cultivation. With your equipment you are able to put 20,000 more acres per annum under cultivation. What is your ultimate objective? How much land do you seek to put under cultivation?—A. My own objective is not less than 100 acres per family because in Saskatchewan I do not think an Indian can make a living for his family and call himself a farmer and remain on that farm unless he has at least 100 acres under cultivation.

Q. Is there sufficient land available to put 100 acres per family under cultivation?—A. On most reserves, yes, but there are some reserves which were selected by the chiefs at the original treaty where little thought was given to agriculture, and on some of those reserves there would not be sufficient arable land to provide 100 acres of decent farm land for every Indian family.

Q. And from that then you said that the band funds might be used to purchase land where necessary?—A. I expressed the fear that they will have to be used eventually.

Q. Is there any provision in the Act that land purchased for an Indian reserve would enjoy the same status that the present Indian reserve enjoys?—A. I think the answer to that is, yes. It has been done occasionally.

Q. You also mentioned that you are willing to delegate certain responsibility to the chief and the council. Are the chiefs and councillors generally elected by the band?—A. Yes.

Q. For what period of time?—A. In Saskatchewan at the present time they are mostly life appointments.

Q. But from your general observations you are satisfied they would be qualified to assume those responsibilities of determining when live stock should be sold provided they gave an undertaking to be responsible for the debts of the band?—A. I would say yes, in a very few bands at the present time.

Q. With regard to sections 40 and 41 are you satisfied that ultimately when the Indians are out of debt—and we must anticipate that surely some day they will be free of debt—that then they could manage their own affairs the same as white men who may be indebted to a bank or trust company?—A. I would hope to see that day, but it took the white farmer 40 years to get to that condition in western Canada.

Q. Can you say how many Indian families there are in Saskatchewan at the present time?—A. There are approximately 3,500 families.

Q. What is the total acreage of the Indian reserves in Saskatchewan at the present time?—A. Approximately 1,800,000.

Q. Would you care to comment on the similarity of the Saskatchewan brief and the Alberta brief? Do you know if they were brought together to discuss common objectives?—A. I do not know that I know the history of the preparation of that brief any more than what I heard related by the Saskatchewan representatives of the Indians. I think that explanation was the only explanation there is; but I must say I was quite surprised to find that there were certain paragraphs in the two briefs that were identical.



Q. Would you say that there is sufficient common interest to expect that, that is to say, the Saskatchewan Indian and the Alberta Indian are much in the same position?—A. That is true. Conditions on the Indian reserves of Alberta and Saskatchewan are very similar. I have lived on four Indian agencies in Alberta, so that I think I can speak for some of them. I was raised amongst the Indians of Alberta before I went into the department, and I know the conditions at four different agencies in Alberta, and I have seen very little difference between Alberta and Saskatchewan.

*By Mr. Bryce:*

Q. I should like to know if you can tell me what percentage of the reserves in Saskatchewan have no funds?—A. I presume you mean bands?

Q. Yes, you have stated that some of the are quite well off.

Hon. Mr. HORNER: I think he said 40 per cent have money.

The WITNESS: Approximately 40 per cent of the number of bands have band funds of a reasonable proportion that are useful for the development of their reserves.

*By Mr. Bryce:*

Q. Then there would be 60 per cent have no band funds?—A. Yes, that is true.

Q. There are more worse off than are well off. That would be a fair statement?—A. Oh, as a general rule, the bands with funds have had more assistance through those band funds than was supplied by parliamentary vote, and therefore they are a little bit better off financially, and their homes are generally a little better.

Q. In talking about education you mentioned the need for 40 day schools. Do you think that the day school is the solution to the problem? I should like to have your personal opinion.—A. We have the Indians of the northern part of the province to deal with. I am not prepared to say that day schools would be the final solution there. In the southern part we have both residential schools and day schools. I would not want to build anything but day schools in the future in that part of the province.

Q. You think that the day school is the solution to the problem where they can be made good use of?—A. Where the Indians are living on a reserve and deriving their living from that reserve and do not have to travel all over the country to make a living then the day school serves the purpose better.

Q. You need 40, anyway?—A. We need 40, anyway.

Q. I was quite interested in what you said about the children when they reach 16 years of age. I have given a lot of thought to that matter and I think from 16 to 20 is the time when we can either make or break the Indian. Would you agree with me that we should have vocational training schools where the Indian who could adapt himself to electricity, plumbing or carpentry, might be given an apprenticeship? Do you think that would solve the problem of those between 16 and 20?—A. I do not think that would solve the problem for all of them. It would solve the problem for a percentage who are willing to learn those trades.

Q. A good percentage?—A. I would not say a high percentage but rather a low percentage, if anything, because that means continuous study and application along certain lines. Indian people are not any more fond of being tied down at that age than white children are. All white children cannot be taken directly from public school or high school and put at bench work or other work that requires steady application.

Q. I think that in the future the boys or girls who show an aptitude for certain things should be picked out and given training?—I quite agree with that.

Q. You spoke about the "buyer." To whom do you refer? Is it every Tom, Dick and Harry that comes around, or to whom do you sell your cattle off the reserve?—A. On most reserves now at the time of the year when the cattle are fattened on the grass and are ready for sale notices are sent out by the agent to the known cattle buyers in the area that a sale will be held, and cattle will be sold by public auction on a certain date.

Q. They 'are sold by auction?—A. On that day the recognized cattle buyers, who not only know animals but who are known by the agent as able to pay for the animals when they buy them, hand the agent written bids, and the highest bidder gets those animals if he is known to be well able to pay.

Q. How large an area do you take in on that sort of thing?—A. That depends somewhat on the number of cattle that are being sold at the sale. If there are only a few naturally we would not call in the cattle buyers from far and wide. If the number is fairly large a fairly large area is covered in notifying cattle buyers of the sale.

Q. You advertise in the Saskatchewan papers?—A. Yes, but it is mostly done by a circular letter to the various buyers. The Indian agent sends a circular letter to all who may be interested in the sale.

Mr. HOEY: Do you ship any co-operatively?

The WITNESS: In recent years some have been shipped to Prince Albert and Winnipeg co-operatively.

*By Mr. Bryce:*

Q. You talked about housing. Have you built any houses for your old age pensioners or have you any plans for that? When I say old age pensioners I mean the people who are 70 years of age and are destitute and cannot earn a living for themselves. Have you done anything like that?—A. Every year a few of those houses are built to the extent of the money which we are given, but unfortunately in the past when it was easy to buy lumber it was not easy to get the money.

Q. Now you can get the money when you cannot get the lumber. There is one matter on which I would like your opinion if you would care to express it, and that is the liquor problem. You did not mention it. I should like to hear your views on it. You have been among the Indians for a long time?—A. I wish I had the answer to the liquor problem.

Q. We are trying to find that out in this committee. It is from men like you that we can get valuable information?—A. I will tell you very frankly what I do know about it, but I have not the answer. When an Indian arrives on his reserve drunk or with liquor his wife and children are the sufferers. They even suffer injury at that particular moment, but if he is a habitual drunkard they suffer throughout their lives while they are dependent upon him. I do not think that is a great deal different from some white men. I should like to see something better than we have, some better law than we have. The present sections of the Indian Act have not done very much good. They have made it more difficult for the Indian to get what is commonly called good liquor, if there is such a thing, but they have not prevented him from getting some kind of intoxicant. I thought I had heard of all the different kinds of intoxicants but my friend, Chief Joe Dreaver, told me of a new one just the other day, some new form of shoe polish which they squeeze and get some juice out of it. Certainly if those sections were taken out of the Indian Act that would not be necessary, but I am afraid that if it was thrown wide open the Indian agent would be a very busy man for a while, and there would be a lot of black eyes amongst the women. Probably in time that would correct itself to a certain extent. I do not know. I wish I did know.

*By Hon. Mr. Blais:*

Q. Do you consider that the reserves have some of the best land for cultivation?—A. We have on the Indian reserves in Saskatchewan some of the finest agricultural land in that province, and we have other land which has very little or no value at all.

Q. Has a co-operative venture amongst the Indians under the leadership of the agent ever been tried to cultivate the land?—A. Yes, I intended to come to that. I pride myself a little bit on being the agent who started that. I had been nine years at the Crooked Lake agency during which time we had two crops and seven failures. Then I was transferred to the Pelly agency and faced the same thing. I had Indians wake me from my bed early in the morning begging for something to eat because their families were hungry and I gave them all I had to give. We decided then that something must be done. There was no work for the Indians outside the reserve, absolutely none. They could not get a job of any kind at all. We decided that we would try to raise sufficient money to start to operate a farm more with the object of putting these people to work and giving them a chance to earn some food honestly than to put them on direct relief. At that moment there were about 3,300 acres of land under cultivation in the whole of the Pelly agency.

*By the Chairman:*

Q. What year was that?—A. The spring of 1936. To-day in that agency there are nearly 8,000 acres under cultivation. In the meantime these Indians were put to work. The farm was made to pay and people were given an opportunity to earn an honest livelihood on their own reserve without running around the country trying to get work. They never brought any money back to the reserve from the little bit of work that they ever did get. They got so little that there were no results from it. They ate everything they got before they came back to the reserve, and they came back just as hard up as when they left. We did not stop there. We have now in the province of Saskatchewan 20 co-operative farms. You heard Chief Dreaver say they had a co-operative farm there which folded up. I am not including that in the 20, but even on that reserve that co-operative farm got out of the red, and it was the means of breaking up a considerable area that probably would not have been broken up otherwise. Mind you, if a co-operative farm did no more than to pay cost of the machinery it would at least put a lot of land under cultivation in a much shorter time than it would have been if we had not had it.

*By Hon. Mrs. Fallis:*

Q. My questions are mostly concerned with education, but Mr. Bryce's questions have secured the answers to quite a few of them. I have just one more thought following up what Mr. Bryce said about young men and young women of 16 years of age. In presenting his brief Mr. Ostrander said that social service workers were very badly needed, particularly among this age group. I should like to know for my own information what those young people of that age do now when they leave school? What is there for them to do on the reserve at 16 years of age? How do they occupy their time?—A. The answer to that is absolutely nothing.

Q. What do you visualize outside of vocational or technical schools? What do you visualize as being the work of a social service worker among them? What is there they could do?—A. Oh, I had in mind study groups, probably some weaving and other means of keeping them busy in their evenings, something interesting that would at least keep them out of mischief. Each evening something useful could be taught. There is also athletics. I am very strongly in favour of putting the young Indian boys particularly into athletics of some kind, because they do take to them and become so interested that if they admired a good athletic instructor he could have a very strong influence amongst them.



Q. In connection with the children who are not receiving any education at all in the northern part of the province you said that either residential schools or part-time day schools would be the solution. You said that the Indians there move from one place to another constantly. I take it there are no means of transportation, no roads that are any good. How do they get from one place to the other?—A. By canoe in the summer time and by dogs in the winter.

Q. So that there would not be any possibility of having a travelling school room go along with the children? I was thinking of what they do in northern Ontario in some of the remote districts. The provincial government provides travelling schools to go into those remote districts.—A. That is not an impossibility. It is a possibility, but it would have to be something like an army tent that could be quickly moved from place to place because the teacher would wake up one morning and find there were no pupils in sight and would have to pack up the tent and follow them.

Q. That is what I mean. Could there be anything arranged whereby the teacher could travel with the families if you could get someone who was willing to do it?—A. It is a possibility. We have given it some thought but, of course, that is a particular kind of teacher. I do not suppose that one teacher in 5,000 would accept that kind of position.

Q. I should think it would have to be a man.—A. A man, and how many men even would accept that if you told them they might wake up in the morning and find all the children gone, and that they would have to hurry up and pack the tent and follow them? How many men would want that?

The CHAIRMAN: Before proceeding with any further questions—and I know Senator Horner will have several—I want to suggest to the committee that we meet at 4 o'clock this afternoon in this room. If it is your pleasure we can have part of our meeting off the record so that Mr. Ostrander will be able to have a frank discussion with you. We have found that very helpful in times past, and it may be considered advantageous at the present time.

Mr. HOEY: We also have an Indian agent here, Mr. Bannah, from the St. Regis reserve. Perhaps the members of the committee would like to have a look at an Indian agent. Mr. Bannah came in this morning on departmental business. I was anxious to bring him here and let the members of the committee have a look at one Indian agent at least. He is in a rather unusual position in that a part of his agency is in the province of Ontario and the other part in the province of Quebec. He is bounded on the south by the United States. He has been doing a remarkably good job there. I thought he should come up here and you should have a look at him. Perhaps you might want to put a few questions to him this afternoon.

The CHAIRMAN: Will he be back here at four o'clock?

Mr. HOEY: Yes, he can be here if you wish him to, Mr. Chairman. Mr. Bannah has a very interesting agency. It extends over into the province of Ontario and down to the international border. He not only has to deal with two provinces, but he has a national and international situation as well.

The CHAIRMAN: Well, then, if it is the pleasure of the committee we will have Mr. Bannah come in this afternoon for a few minutes after four o'clock.

To-morrow, as I have announced, there will be no meeting; one of the reasons being that there are eight House of Commons committees meeting and it will be very difficult to find accommodation. It will also be difficult to find a quorum for this committee in view of the fact that there are all these other committees meeting.

We will meet again at four o'clock this afternoon.

The committee adjourned at one p.m. to meet again at four p.m.

## AFTERNOON SESSION

The committee resumed at 4 o'clock.

The CHAIRMAN: Would you come to order, please. We will continue with the examination of Mr. Ostrander, then we have Mr. Bannah, the Indian agent at St. Regis; he will only be a very short time, and then we can go into camera if it is your wish. We will now hear Mr. Ostrander.

### Mr. J. P. B. Ostrander, recalled:

*By Hon. Mr. Horner:*

Q. Mr. Chairman, some of my question may already have been dealt with by Mr. Reid, but I would like to ask in the case where land is sold off the reserve by what method do the government proceed? Is a certain price per acre put on it and do they turn in what they receive from the sales to the reserve?—A. In all instances, Mr. Chairman, to my knowledge, the Indians receive exactly what the land brought in by sale.

Q. Then the next question I want to ask is this: In cases where you had a return after three or four years, interest had accrued, and then there was a second bill for a quite large amount less than the band had at first agreed to accept, where they handed that reduction in the price?—A. Not that I know of. I do not know of any cases where the land was actually sold at a lower price than the Indians were promised in the first instance.

Q. I happen to know of many instances where the land was, after several years' use by the purchaser, returned without his having paid any interest; then re-sold at a lower figure.—A. I am—

The CHAIRMAN: What date was that, Senator?

Hon. Mr. HORNER: That was some years ago—over the years, away back in 1928 and 1929. The land was turned back to the department and I know of instances where it was sold to another member of the same family or perhaps to the same man again. These are matters which I think should be looked into.

The CHAIRMAN: This witness apparently has no knowledge of it so I do not suppose we can get anything from him. If you could give us the information we can probably subpoena some other witnesses; if it has any value, due to the fact that it is twenty years ago.

Hon. Mr. HORNER: I can give you details, sections and half-sections of land later on. I haven't got the figures here with me to-day. I think the trouble is that the land was bought at so much an acre and then the department found they couldn't put the deal through and that was prejudicial to the Indians because it meant that they had to sacrifice and take considerably less than they had been promised for the land in the first instance. I would criticize the department for their laxity in the handling of the matter of land sales. Now, you have mentioned the matter of Indian services. There is some land in the northern part—the Indians take river grants—and they can work as guides and that sort of thing; that is always open to them. With regard to cattle and the permit system, it is only in the three western provinces I understand that the permit system prevails. Well now, the aim and endeavour of this committee

in the revision of the Indian Act is looking forward to the time when the Indian will become independent and self-supporting. He is no different at the present time from the white settler in Saskatchewan who if he is in debt has to give a chattel mortgage on his cattle to the bank and has to get permission from the bank if he is going to sell. But with the Indian who has been progressive and is out of debt and has a herd of cattle, I think it would give him better experience and encourage initiative on his part if he had the complete responsibility for the disposition of his cattle, and I think he should be free to do that when he sees fit. You don't agree with that apparently?

The CHAIRMAN: I think the witness answered that point this morning.

Hon. Mr. HORNER: I know, but I want to look into this because there is a case up at Sandy Plain. I think it was Adam Kennedy who piled up a good bit of money and had a cash business of his own; he had seventy acres, and the Indians were out of work and he hired them and gave them cattle in payment. That was just before the slump. He had arranged with a buyer to buy these cattle which would let him make a little money but the agent refused his permission to sell and by the time he could sell the cattle there had been a drop of 4 or 5 cents a pound in the market, and he had to take a loss, a very great loss, on those cattle through his having to get a permit.

The CHAIRMAN: Apparently that is a matter which can be considered on the revision of the Act. We are not revising the Act at the moment.

Hon. Mr. HORNER: I know, but here before Chief Dreaver of the Duck Lake band has asked for this privilege to be returned—he repudiated the stand later and agreed to accept the recommendation of the delegation we have just heard in respect to the permit system.

Mr. BLACKMORE: They favour it.

Hon. Mr. HORNER: No, they favour abolishing it, and handling it the same as any other man who has stock of his own. One of the reasons they gave me for their smaller herds of cattle was that they could not sell when they liked. It was just as if they were breeding them for the department. You mention the bull policy. Do you still collect \$5 a head for each animal sold or butchered for the bull fund?

The WITNESS: No.

*By Hon. Mr. Horner:*

Q. When was that discontinued?—A. In the year 1937 it was discontinued. It has not been collected since then.

Q. What became of the money which was collected?—A. That went into the same fund that was used to buy the bulls when it was collected.

Q. Do you not think they could get greater usefulness, apart from the training at school, if they were taught something about the care of animals at home? This question came up of keeping these young fellows busy after they are sixteen; my own boy is that age and he takes care of the cattle at home. I try my best to show my boys the practical side. I was thinking that something of that kind would be a lot more useful to them possibly than what they are getting at the university—for them to be taught the care of animals, particularly in Saskatchewan. Do you not think that would be a very useful part of a program, a post-school program, if you like?—A. Yes, I agree with that; but having young people that age milking cows at home, you have to appreciate that with the Indians that home is ruled and governed by the head of the household, and it is part of our program of welfare to impress upon the Indians the need of milking the cows, and they in turn probably impress upon the children that they should do some of that work; but we need staff to do that work, to do the welfare work.



Q. You mention good cattle. I agree with you. But do you not think the scarcity of cattle and the good grass, the over-abundance of grass, is the main reason for good cattle on the reserves?—A. That is one of the reasons, of course; but you can't raise good cattle on good feed if they are poorly bred animals. You still have to have good breeding.

Hon. Mr. HORNER: About 50 per cent of it is feed.

The CHAIRMAN: That is a matter of opinion, Senator; kindly just ask questions of the witness.

Hon. Mr. HORNER: That is the objection, but I certainly still recommend sale by notifying a few buyers. I know of cases where men get together and agree on a certain price and they split the purchases between them. Those things are awfully hard on the Indian and bring discredit on what we are trying to do. But I do want to say that in my opinion Mr. Ostrander has given us a very fine brief. I am sure that he knows the Saskatchewan Indians and is very much interested in his work. I think those are all the questions I wanted to put.

*By Hon. Mr. Stirling:*

Q. I think you said there were 87 tractors among the Indians in the province this year; who runs those tractors, the individual Indians?—A. In most cases the individual Indians run the tractors themselves. Of course, in the case of co-operative farms, one tractor would be operated by two or three different Indians who had been trained to do it.

Q. How about the upkeep of the machines, do they take reasonable care of them?—A. Reasonably good care, I would say, yes.

The CHAIRMAN: Who owns the machines?

The WITNESS: Some of them are individually owned, and some are owned by a group; others are owned by the whole band.

*By Hon. Mr. Stirling:*

Q. Can a whole band own them?—A. Yes.

Q. Who lays out the work that they do?—A. The band themselves decide where the tractor will work and when.

Q. And you have more than one person driving a tractor?—A. In the case of band tractors, yes; more than one at times. We think that eight hours on a tractor is plenty for any one man, but when there are sixteen hours of daylight we want that tractor to run sixteen hours.

Q. In spite of their many drivers you consider they are pretty well kept up?—A. I do, yes.

Q. In regard to day school, particularly those in the far north, are a majority of the teachers single or are they married people?—A. About half of them are single.

Q. And accommodation in each case is provided at the schools?—A. Yes.

Q. They do not have to lodge out?—A. They are furnished with a teacher-age at the school.

*By Mr. Matthews:*

Q. Most of my questions have already been asked by others. I find myself in sympathy with a great deal of what Senator Horner has expressed. I just want to make this observation; I think that where the Indian farmer has shown sufficient enterprise and energy to have his own farm that he should have the privilege of selling his stuff where he likes, and I think recognition of that fact would be as good an incentive as anything else that we could offer. It would serve as an example to the more shiftless type and would certainly give encouragement to those who are trying to get along. I might as well ask Mr.

Ostrander a question with regard to these balances in the hands of the different bands; are they almost exclusively the result of sales of land?—A. Sales of land, land rentals and timber dues.

Q. Then, what is the explanation of sections 40 and 41 applying only to the three prairie provinces?—A. The only reason I can see is that which I gave in the beginning of my remarks on that subject, that beginners in farming in the west have nearly always worked on the credit system until they got started. When it is necessary to furnish credit it is also necessary to protect that advance.

Q. I think it was in reply to Senator Fallis you made reference to athletics. Do any of these bands as bands give any encouragement to athletics among the young people?—A. Yes, they do.

Q. You made reference to the fact that there were 27 reserves where you considered that health services were fairly satisfactory?—A. Yes.

Q. Would you care to make any comments on the advantage of the Department of National Health taking over that work from Indian Affairs? If you would not care to comment on it it is all right.—A. If you will pardon me, I do not think I have any comment on that. As long as the work is done that is what interests me.

Q. On the question of bands moving from place to place in order to make a living reference was made to old age pensions, and there were other references made to those who could not qualify for old age pensions but who are semi-invalids, physically or mentally. What provision is made for them when the moving process is on? Are they taken with the bands or are they left somewhere else?—A. As a rule the Indians are very kind themselves to those unfortunate people. I have always noticed that, and I think perhaps they can teach the white people a little bit on that.

Q. Would the establishment of schools among those bands have a tendency to keep them more stationary, or are they forced to move in order to make a living?—A. We have quite a large number of Indians in the northern part who cannot possibly make a living and remain in one place. It is impossible under present conditions.

Q. Therefore, the transitory school—shall we call it—which Senator Fallis referred to would be a pretty convenient way if it could be worked out?—A. If it could be worked I am for it, but I am not so sure that it could be worked because I wonder how we will get a teacher to cope with that.

Q. You spoke of the roads. Some of the delegates also spoke of the roads. In Saskatchewan are they just ordinary dirt roads?—A. In all cases, yes.

Q. You have no gravel?—A. With the exception of the Moose Mountain reserve which has a provincial gravel road through it, and a few other reserves which have provincial dirt roads through them; but at the moment I can think of only one reserve where there is a provincial gravel road right through the reserve.

Q. I suppose that is largely owing to the scarcity of gravel, is it not? I understand it is pretty scarce in Saskatchewan.

Hon. Mr. HORNER: There is lots of gravel. It is the money.

The WITNESS: In most cases it is not very difficult.

*By Mr. Matthews:*

Q. When you spoke of improving the roads did you have in mind gravelling them or hard surfacing them.—A. Gravelling.

*By Mr. Richard:*

Q. Does not the great majority of the Indians resent the fact that although by progress they have acquired property and get out of debt yet they are all treated alike and they cannot dispose of their property the way they wish? Do

they not resent that?—A. I would say most of the Indians who have made progress are able to dispose of the property with so little trouble that complaints are very rare. When an Indian is growing grain in large quantities and looking after his own affairs he can go into the agency office and get a permit to sell a carload of grain at a time or even a carload of cattle, if he has them, and he can get that permit even a month before he intends to use it.

Q. What about giving it a trial for those who are out of debt? What about eliminating those two sections and giving it a trial for a year or so? Do you think there would be a catastrophe? If it would not work they could be re-enacted.—A. I would say that the year or so would be a catastrophe. I would say if they are eliminated we would get some terrible disappointments for a year or two. Perhaps over a period of ten years it might be found to be reasonably satisfactory.

Q. In other words, they would become educated to it. It is a part of education to get them to stand on their own feet. That is what we are all aiming at. They have to learn through business dealings how to conduct their affairs.—A. Yes, but in the process of education there would probably be quite a bit of suffering.

Q. What about the franchise? What is the opinion of the Indians on the franchise? Do they want it?—A. I would say the very great majority of the Indians of Saskatchewan do *not* want it. I would say 90 per cent of them do not want it.

*By Mr. Blackmore:*

Q. Perhaps owing to my lack of experience I was not able to see why Indians who were indigent were not eligible for the old age pension when they reach the necessary age. Is it so that Indians who have been indigent cannot have the old age pension?—A. We have indigent Indians of only 20 or 30 years of age.

Q. That was the type you were referring to rather than those who had reached a greater age?—A. Those are the ones I meant when I said that about 65 per cent of those now receiving assistance by way of rations will not be eligible for old age pensions.

*By Mr. Richard:*

Q. They have not reached the age?—A. They have not reached the age for old age pensions. Many of them are not near it.

*By Mr. Blackmore:*

Q. Saskatchewan is proposing to pay old age pensions to Indians. Is that right? I gathered the impression that Saskatchewan was intending to pay old age pensions to Indians. Perhaps I did not understand what you said.—A. I did not mean to say that. I do not know what Saskatchewan is going to do.

Q. How much money would you estimate the authorities would have to have in order to enable them to put the Indian administration in Saskatchewan on a basis such as they feel it ought to be on?

The CHAIRMAN: First of all what do they feel it should be on?

Mr. BLACKMORE: That is what I should like to know. I think this country has to face up fast to the problem that there have to be certain standards for the Indians and it is going to cost money.

The CHAIRMAN: Do you mean the province of Saskatchewan or the Dominion of Canada?

Mr. BLACKMORE: The province of Saskatchewan; because Mr. Ostrander is directly acquainted with that province.



*By the Chairman:*

Q. You are not engaged by the province of Saskatchewan, are you?—A. No.

Mr. BLACKMORE: He is engaged by the Dominion of Canada, and the cost of the whole administration is borne by the dominion.

The CHAIRMAN: Did you say they had a program in Saskatchewan?

*By Mr. Blackmore:*

Q. I should like to know what he thinks he ought to have in order to administer Indians affairs in Saskatchewan the way they ought to be administered.—A. At present prices a suitable home on a reserve where we have to buy lumber will cost about \$2,000. When you multiply that by the 900 that are needed that is a pretty large figure for homes alone without other things such as wells, barns and schools. There are so many things that I just refer to it as a very large sum of money that will be needed to put the Indians of Saskatchewan in what I would consider reasonable shape.

Q. Do you think \$2,000,000 would be sufficient for Saskatchewan?—A. \$2,000,000 per annum?

Q. Yes.—A. For a few years, yes, \$2,000,000 per annum. We need two or three times as much every year as we get now in order to do the things we would like to do.

*By the Chairman:*

Q. How much are they getting now?—A. Well, we have so many programs that are only started—

Q. Do you know or do you not know? Do you know exactly? The appropriation is not divided into provinces, is it?

Mr. HOEY: No. Schools come in to it, residential school grants, day school salaries, medical care, policing etc.

The CHAIRMAN: If you do not know just say you do not know.

*By Mr. Blackmore:*

Q. I am not quite familiar with the methods of the department, but the expenditures in a given province do not pass through the chief inspector of that province?—A. No.

Q. That renders you unable to answer.—A. Only a few of them do but, of course, I do know what is going on, but the appropriations or grants do not go through me.

Q. You need three times as much as in now being spent at least?—A. Yes, at least three times as much.

Q. There was one point on which I was not quite sure I got the significance of your evidence. Did you convey the idea that in your opinion there were some bands or band councils that were of such a quality as would justify giving them control over the permits to sell?—A. Yes, but I say that refers to only a few bands at the present time.

Q. That is what I thought you said. Now, would you estimate the cost of establishing one suitable day school, that is, counting the average cost of maintaining it? For a day school, of course, you would have to have a building. I understood you to say there were 40 day schools needed. I am trying to get some sort of idea as to how much it would cost to establish these day schools as well as the cost of maintaining them annually thereafter.—A. It would cost about \$2,000 a year to maintain the schools and it will cost \$10,000, \$11,000 or \$12,000 to establish them.

Q. \$2,000 a year is allowing probably \$1,500 a year for the teacher?—A. Yes.

Q. Do you believe you can get a suitable teacher to take over the responsibility for less than \$1,500 a year?—A. No, I do not.

Q. Do you think you could get teachers at that rate?—A. If they had an assured future, but not under the present set-up.

Q. Would you care to indicate what there is in the present set-up which renders the teachers insecure? This matter of the security of teachers is, as you know, a mighty serious one among the whites. What would have to obtain?—A. A provincial school teacher, if she or he goes on to an Indian reserve, loses contact with the Teachers' Association; it can easily happen. Over a period, I think it is of three years, I am not positive about that, the teachers lose their right to a pension, the provincial teacher's pension. We have nothing, at the present time, to replace that. We have no pension set-up because the teachers are not civil servants.

Q. Would it render the task easier if we could bring the Indian schools in the province under the Provincial Teacher's Association so the teacher would retain his or her position with respect to pensions?—A. Or make the day school teacher a dominion civil servant.

Q. That would be a matter we would have to discuss later. I am trying to get some practical considerations here in order that we will know what we have to do. What percentage of your Indians, would you say, are raising cattle as their own on property which belongs either to them or is recognized by the band as being their property?—A. Very few Indians raise their cattle on property which is recognized by the band as the property of the Indian. Nearly all the Indian cattle are kept in a common pasture. There are two reasons for that; one reason is that on both Indian reserves there is a fairly large acreage of land which is not suitable for anything but pasture land. The other reason is that these good bulls are used much more efficiently by using them in a common pasture.

Q. Then, an individual Indian might hold 15 or 20 head of cattle, put them in the common pasture and retain ownership of them himself, or does he lose ownership?—A. He retains ownership, the same as a white man, but he will have the use of the good bull in conjunction with the cattle belonging to the other Indians. In that way, each individual Indian does not have to have a bull for his own herd.

Q. If an Indian desired, however, to establish his own herd, by himself, out on the reserve, it would be acceptable that he do so except his herd would not have access to the good bull, is that it?—A. It would be acceptable providing the band was willing to set aside pasture land in a sufficient area for his use.

Q. That would be within the band's control?—A. That is within control of the band.

Q. Is there any tendency to speak of, on the part of the Indians, to have milk cows?—A. Yes. I have the figure here of the number who are regularly milking cows, but I forget it for the moment. There are 440 homes in Saskatchewan where cows are milked regularly.

Q. I was unable to hear.—A. There are 440 Indian homes in Saskatchewan where cows are milked regularly.

Q. Are any of those milked in order that the milk or cream may be sold?—A. Yes, I would say at least 40 of those homes were milking the cows in order to sell the cream. The majority are milking one or two cows for the use of their own families.

Q. The Indians become successful dairymen when they apply themselves to the task?—A. Yes, they do. The only thing which interferes with the Indians becoming successful dairymen is an inclination on the part of some of them to travel in the summer time and possibly turn the calf on the cow.

Q. In the case of an Indian establishing a herd of his own, does the Council of the band show an inclination to permit him to have certain pasture for his

own use, or does he turn his cattle out on the general pasture?—A. The band, as a rule, do not like to see a member of their band turning his cattle loose on the reserve because many of the grain fields are not fenced.

Q. What does he do then in order to avoid the difficulty? Does he have to fence land?—A. He would have to fence the pasture set aside for his own use.

Q. The band will apportion a piece of land for that use?—A. They might. That is not done very much.

Q. I am really trying to figure out how you are working it in order to ascertain what could be done in the reservation in my own constituency where there are possibilities for doing this very thing. I just wondered what your customs were.—A. Pasture land varies from 20 acres to 50 acres per animal, as you probably know. Supposing it is fairly poor pasture land and the Indian has 50 head of cattle. The band would look askance at a request from him to set aside for his individual use all that area.

Q. That would tend to discourage the Indians from going into the dairy industry, would it? Does it have that effect?—A. When I speak of a herd of 50, I was not thinking of dairying. Most Indians who milk cows have a small private pasture.

Q. The band has apportioned that to them?—A. Usually part of the whole of the land allotted to that family from the band.

MR. REID: May I interrupt at this point? Does it actually take from 20 to 50 acres to keep a cow? Is that all the land would sustain? To those of us from other parts of Canada it seems astonishing that it would take 50 acres for one animal?

THE WITNESS: I say the kind of pasture land that takes 50 acres is very poor pasture land, but we have some of that. The most of our prairie land which is set aside for pasture purposes on Indian reserves is not the best land we have by any means. We usually figure from 20 to 30 acres per animal for that.

*By Mr. Case:*

Q. That would be for the whole year?—A. That would be for the whole pasture.

Q. But that would be for the whole year, for winter feed as well?—A. In Saskatchewan, we do not have much winter pasture.

Q. I do not mean pasture, but stored food, 20 to 30 acres would keep a cow the year round?—A. Providing, in addition, the Indian has hay land available, too.

MR. BLACKMORE: Those gentlemen would have a better understanding of the situation if they lived in Saskatchewan a little while.

MR. REID: Of course, we are looking for information, just the same as you are.

THE CHAIRMAN: Just a minute, Mr. Blackmore has the floor.

*By Mr. Blackmore:*

Q. Now, what provision is made for hay? Are there Indians on the reservation who make it a business, more or less, of putting up hay and selling that hay to other members of the band as well as people outside the reserve and the agent?—A. Most of the Saskatchewan Indians have an understanding with the band that a certain portion of the reserve will be a portion upon which they put up wild hay. The Indians will put up, from year to year, whatever is available on that land. Some of those who have that hay land and have no cattle, sell it to the other Indians who have cattle or if there is no market amongst the Indians on their own reserve, they sell it outside.



Q. What is done in respect to setting the price or determining what price shall be paid? Does the agent enter into that matter or does the band enter into the matter of the price for which the hay shall be sold?—A. It is entirely a matter of local conditions.

Q. Amongst the Indians themselves?—A. No, depending upon what the Indians can sell a load of hay for if they take it out and sell it to a white man.

Q. They have permission to sell it to a white man regularly? Do they have difficulty getting permits?—A. No, not those who put up the hay as a business for the purpose of selling it. There are two classes of Indian on every reserve; one class makes a business of putting up wild hay and selling it, the other class makes a business of putting up wild hay for their own cattle. Very few of those who put up wild hay for their own cattle sell any hay at all. The most of them purchase hay.

Q. That is as it should be. I had a notion to ask you a question concerning what you would think of a certain other method of handling it, but I do not think I will. You have answered a number of the questions I had. Is any attempt being made by the agents on most reserves to encourage the Indians to store up quantities of hay in fairly good years to tide them over the bad years?—A. Yes, I think that is a regular practice everywhere where there is a year of surplus hay the Indian agent usually, or the farm instructor or both, try to persuade the Indians to store some for the next year which may be a dry year.

Q. Do they, themselves, buy hay under any circumstances and store it themselves for the use of their bulls or for the use of the community herd? The Indians probably have a community herd, do they, on some reserves?—A. No, we have no community herds in Saskatchewan.

Q. There is no organized attempt on the part of the agents or anybody else on the reserve to buy hay and store it?—A. No.

Q. What provision is made to enable young men among the Indians to obtain cattle and establish themselves in stock raising? Is there any policy under which cattle are issued to them, or is there any policy under which the Indians are given credit with which to buy cattle?—A. There are two methods. In Indian bands which have funds, loans are made from the band fund to purchase heifers to start these young men in cattle raising.

Q. From the band funds?—A. From the band funds, and we have the revolving fund which is available for the same purpose where it seems wise to do so.

Q. The money for this revolving fund is provided by the department?—A. It was set up some years ago by the government.

Q. Has it worked fairly well?—A. I would say it has worked better than anybody, in those days, expected it would work.

Q. That is, the Indians have borrowed from it and established themselves?—A. And paid it back, in most cases.

Q. On many reserves has the revolving fund been used, can you recall offhand, with success?—A. Everywhere it has been used it has been used with success. I do not know whether I can say, offhand, how many reserves that would cover.

Q. A gratifying number?—A. I would say probably 20 to 30.

Q. In addition to that there would be a number of reserves in which use had been made of the band funds to establish themselves?—A. Oh yes, probably just as many have used band funds for the purpose.

Q. That is encouraging. In the case of the farming which is carried on, is any of the grain or other produce used by the agents for the benefit of the Indians? I do not mean by that that the agents take it, but do the agents buy it and use it for rations, or do they encourage the Indians in any way to save up what they produce? For example, take wheat; is there any tendency anywhere among the bands to take wheat and store it for their own use or does the

agent store it for their use and have it ground into flour?—A. The usual method of storage is to sell the grain and the Indian leaves the cash balance in the Indian agent's trust account to be used from time to time. That is the usual method.

Hon. Mr. HORNER: They built a granary at Muskeg to store grain.

The WITNESS: That was for seed grain purposes.

Hon. Mr. HORNER: Yes, for seed grain.

The WITNESS: There are many reserves that have a seed grain storage place in order that Indians who produce a poor quality grain can exchange it for the grain of some other Indian where the other grain is better for seed purposes.

*By Mr. Blackmore:*

Q. Suppose an Indian has a piece of ground for farming, or raising other products, is there any provision for giving him a good start such as we have mentioned with respect to cattle? Can he borrow money for machinery, etc.?—A. Yes, both the band funds and the revolving fund are used in the same manner.

Q. Supposing if an Indian were starting, would there be some sort of a limit set on the amount he could obtain to purchase a tractor and other high-priced machinery now used on farms?—A. The regulations devised when the revolving loan was set up restricted an individual to a loan of \$500. A group of Indians were restricted to a loan of \$2,000 and the regulations have recently been amended to raise that to \$2,500. A band, as a whole, can obtain a loan of \$5,000.

Q. That is if the band goes security?—A. If the band goes together to obtain such a loan under the revolving fund they can borrow up to \$5,000.

Q. That would not be of very much value to them if they had five or six young fellows who wanted to start out at one time?—A. I am speaking of group farming when I speak of that. An individual borrowing can only borrow up to \$500.

Q. What I am looking for is to find out what provision can be made for the young man starting out. I am thinking of the conditions I found on my own reserve. They do not feel that it is good business to buy horses and to buy horse-drawn machinery and they have not enough money to buy the other kind. The result is they just do not go into farming.—A. There is no machinery set-up at the present time which will allow an individual Indian to borrow sufficient money to buy a tractor and tractor equipment.

Q. Suppose an Indian decided to buy a farm could he count on using one of the community tractors, one of the government-owned tractors? I saw something like that in operation on the Sarcee reserve; there were apparently some government-owned tractors which the Indians could get the use of under certain conditions. Have you any such arrangement on your reserves?—A. That is the regular arrangement on all the reserves where we have tractors. That is one of the chief objects in establishing band operated tractors and tractor equipment. An individual can get the use of that tractor and equipment to break up a reasonable amount of acreage of land in order that he may prepare it for the crop. Then from his first crop he repays the cost of the actual work without any profit to anyone.

Q. Now suppose that a good many Indians whose holdings comprised a substantial area of land desire to use the tractor and they find the tractor simply cannot get around to all those lands, is there any particular provision made to see that the land is taken care of in a suitable method? Now you can understand quite easily if the land were not summer-fallowed in a certain period of time about all that land would produce would be a fine crop of weeds.

The same thing might happen if his land had to be processed twice; there would be twice as many weeds. Have you any opinion to give us on that?—A. Well, as soon as each farm is paid for and the individual has a reasonable balance one tractor is purchased and the next thing we do is to buy a second tractor. A good many of these places have two or three tractors eventually. We have many Indians now who have individually owned tractors. They bought those tractors themselves but they were put on their feet to the extent that they arrived at the place where they could buy them through original assistance from the co-operative tractor. Many Indians are in that position to-day.

Q. Well I think that is all that I will ask.

The CHAIRMAN: Have you any questions you would like to ask Mr. MacLean?

Mr. MACLEAN: No. I have none.

The CHAIRMAN: Mr. Farquhar have you anything you would like to ask?

Mr. FARQUHAR: Yes, but some of my questions have been answered.

*By Mr. Farquhar:*

Q. When you speak of the need of forty more day schools you are referring only to the province of Saskatchewan, are you not?—A. Yes, I do.

Q. Mr. Case asked a question that I was going to ask in connection with the additional farming lands. If the band did not purchase these additional lands and the individual bought land off the reserve would he not lose some of his treaty rights and considerations given him by the Department of Indian Affairs?—A. If he bought land outside the reserve he would become a taxpayer exactly in the same position as his white neighbour.

Q. He would receive no benefit from the department, even if he ran into difficult times?—A. He would still be eligible to get his share of the band funds and his interest money and his annuity money.

Q. Would that revolving fund apply to him?—A. No, the revolving fund is for expenditure within the reserve.

Q. There is not very much attraction or inducement for a man to go off the reserve and buy land?—A. Well, I would say decidedly the reverse is true. He immediately would have to pay taxes on his farm whereas probably on his own reserve there would be plenty of land he could use without paying taxes.

Q. Well, if the band is not willing to buy sufficient land for the young man who wishes to farm it will be necessary for them to do that, to go off the reserve and establish themselves?—A. That will be necessary on a few reserves, yes.

Q. And you have stated that you were not very proud of the ration of supplies given by Indians?

The CHAIRMAN: Given to Indians?

*By Mr. Farquhar:*

Q. Have you ever been refused a request for an increase of ration for those who needed additional rations or supplies?—A. The department, some years ago, set down a rate of distribution of rations which is being followed. We have some cases of unusual disability or illness which had to be referred to the department and on those we have been able to get additional assistance.

Q. Have you ever been refused that additional assistance by the department?—A. I think not when the case was thoroughly explained and supported by a doctor's certificate to the effect that the person is suffering from any particular condition.



Q. In that case it would appear the agent is more at fault or blame than the department, that is in connection with the needy ones on the reserve?—A. Yes, if he does not happen to know about it. Perhaps the case has not been brought to his attention. It would be possible an Indian might have to go two or three months without the agent knowing he needed whatever it was.

Q. But as a rule the department never turns down a request for additional ration if the need is there?—A. No, and as a rule the agent knows right away.

Q. Because we have found a great many reserves have old people who are not very well looked after, and those who are sick are not looked after very well, but you think it is mostly the fault of the agent.

Mr. HOEY: Well, Mr. Farquhar, I think I might answer that. Those of you who live in Toronto or Ottawa must have realized during the war period how exceedingly difficult it was to secure certain supplies. I experienced that and no doubt a great number of the complaints which have been made to the members of the committee involved in that problem.

Mr. FARQUHAR: Are you referring to those on relief?

Mr. HOEY: Yes, the old and the destitute. A great many of the complaints have come in because we have experienced the utmost difficulty in securing certain supplies, particularly when we were purchasing them in bulk. Now when it comes to the local trader, and I have discussed this with the local traders, the purchasing power of the Indian is comparatively low. Consequently there was, in many cases, no necessity for the local trader to stock up with oranges, and grapefruit, and other so-called delicacies. I expressed the opinion this morning in connection with the old-age pension, that I believed if it were to apply to Indians it would immediately be reflected in the stores in the hinterland. Those people want to supply the Indians and they would figure there would be so much more money coming into the district and they would stock up with this and that. Take for instance tea. It was exceedingly difficult to obtain. We buy a lot of it in bulk but at times we just could not obtain it. It was neither the fault of the Indian agent, the inspector, or the department, that at certain times and in certain districts we could not obtain certain goods. I am sure that you will appreciate the difficulty we had.

Hon. Mr. HORNER: Might I ask Mr. Farquhar a question?

The CHAIRMAN: Is Mr. Farquhar on the spot?

Hon. Mr. HORNER: I would like to know if he has found that even white men who are on relief do not think they get everything they wish for.

The CHAIRMAN: I do not think Mr. Farquhar will give any answer.

The WITNESS: Respecting last question that you asked Mr. Farquhar, I would mention that we had a very hard winter in parts of Saskatchewan. We got authority from the department to give some assistance to all Indians and when that authority came through we tried through every possible source to buy bacon and beans, the two things which are staple when we give assistance, but we could not buy them at any price. You may have heard that there was some suffering, I do not know whether you heard it or not, but the reason why they did not get bacon when they wanted it was because there was just none there to get.

The CHAIRMAN: Are there any further questions gentlemen?

Mr. FARQUHAR: In connection with this written bid on cattle which are put up for sale on the reserve, I would like to ask why there should be a written bid? Why not an open bid at an auction sale? Would that not be better than a written bid? I can see where men might get together and, having been notified of the sale, they would put in their bid and possibly split on it. Do you think that is a preferable way as compared with the regular auction sale such as we have.

The WITNESS: Those written bids, like all bids, are based almost entirely upon the market price of that day and I do not think that there would be much difference between written bids and the open auction bids.

The CHAIRMAN: You could connive in connection with both of them.

The WITNESS: I will admit they do connive and I will recite an instance last year where Mr. Davis, the Indian agent at Touchwood agency, found three buyers were conniving at a sale at Nut Lake and he took the cattle right out of the sale and shipped them to Winnipeg. He received \$11 a head higher than the highest bid which was made at that sale. I will admit you do get connivance but I imagine it could also be done in Winnipeg.

Mr. BRYCE: Does the department intend to gain by that experience?

The WITNESS: I hope so.

Mr. BRYCE: I hope they will, and I hope they come to the conclusion that the logical place to sell cattle is on the cattle market.

Mr. FARQUHAR: I never heard tell of a written bid and I have been to a great many sales in my life. Up in Manitoulin Island we have one every year and we do not have a written bid. We have an open bid so that no persons can get together.

The CHAIRMAN: Are there any more questions?

*By Mr. Blackmore:*

Q. I would like to ask one or two more questions. Are there any reserves on which there is no band fund?—A. Many.

Q. What I want to find out now is how these Indians on reserves without funds are taken care of? Is there a revolving fund?—A. That is what the revolving fund was set up for, for those reserves where there is no band fund.

Q. Now, I want to ask you something about this—you have had twenty years' experience—what provision is there for preventing an agent from being over-generous in the administration of his reserve? For instance, I was impressed by the singular reticence of an agent to exceed certain rigid points with respect to helping people in need. Why that reticence? I would like to find out. Is the agent allowed a certain amount of money in a certain year, and can he expend an amount in excess of that rigid allocation?—A. Mr. Chairman, that requires a rather involved answer; perhaps I should say it is one which cannot be answered.

The CHAIRMAN: Is not the short answer to that that it is a matter of departmental policy? We found out down in the maritimes that the Indian people were being given what they needed without regard to just what is necessary. The department's attitude, as I understand it from discussing it with other members of the commission who can verify it, was that when those people need it and where the agent thinks they need it they are satisfied that they should get it, they are given above what the regulations and rules provide; not exactly the rules and regulations, but the schedule of relief that is to be given out. Is that right?

Mr. HOEY: That is the only answer to it. One Indian agent may review the case and decide that a certain quantity of relief is necessary. Another Indian agent might review the same case and make a different decision. After all, they are only human beings; but what that agent does ask for is what is supplied.

The CHAIRMAN: And, is it varied according to the need?

Mr. HOEY: What that agent asks for is what is supplied, and if he asks for a good bit it is probably his decision as to the need of a particular case. Some Indians need almost complete assistance in everything, other Indians need sometimes just a little boost.



Mr. CASE: Would you accept or seek the advice of the band or council?

The WITNESS: Nearly always the origin of the request for assistance is from the chief and the council of the band, if we have a good active chief and council; but I am sorry to say that a good many reserves have a very inactive chief and council, and the Indian agent knows far more about the suffering than either the chief or the council do.

Mr. CASE: Mr. Hoey might answer this. Is this permit system in effect only in Alberta, Saskatchewan and Manitoba?

Mr. HOEY: Yes.

Mr. CASE: I wonder why that is; and why is it that they find it necessary to have these credit arrangements for the Indians in the three prairie provinces when they do not seem to need it in the other provinces?

The WITNESS: I have answered that question once, Mr. Chairman; shall I repeat my answer?

The CHAIRMAN: I think for the satisfaction of Mr. Case, if you could answer it briefly.

The WITNESS: Because farming in the west nearly always commences from credit. It was thought necessary by the government I suppose. I did not make the law. The government decided there was to be some protection of the money or advances to Indians beginning farming or live stock raising until they get on their feet.

Mr. CASE: You made the statement that you are in favour of retaining sections 40 and 41 in the Act?

The WITNESS: I am, decidedly. I want to record my objections to removing those sections because we have assisted and are continuing to assist these Indians with credits, and we have money outstanding for credits now that were established by the Indian agent expecting he would have some control over the sale of grain and cattle by which to collect that money.

Mr. CASE: And you have no other source of security?

The WITNESS: We have no other source, absolutely none.

Mr. BLACKMORE: There is one more question I would like to ask. Possibly Mr. Ostrander is not the right man of whom to ask it, but I think he has the answer. Why should the Indians in these provinces be given credit when the Indians in none of the other provinces get credit of this kind?

The CHAIRMAN: I think we have threshed that straw so often that there is only pretty fine detritus now. It is simply this. In the western provinces it was the custom of the white people in times past to start out on a shoestring: in other words, they had to have a little capital assistance, and they have had to depend upon credit to a great extent. In that way they have been able to build up as they have produced, and they have produced, and they have built up a measure of independence from that sort of a start. The same situation applies with respect to the Indians, only that they are a little further behind the white people in starting development through the medium of credit.

Mr. BLACKMORE: But my point is this, they do not use the same system for any other Indians.

The CHAIRMAN: Well, they have been pretty well established. You will find in many parts of the west—I am told, I have not been out there, but I have been told that a lot of these people in the west are living in wigwams and tents today. You didn't find that in the maritimes. Of course, the maritimes have their own credit unions.

Mr. LICKERS: Just while you are on that, may I ask one question?

Mr. REID: Before you ask your question, let me make this suggestion; this is a matter which has been before the committee on more than one occasion.



It has been presented by various delegations which have come here. I confess that I do not know very much about the prairies. Mr. Blackmore knows more about the prairies than I do. But I do know what the situation is in British Columbia, and that system is not in operation there.

Mr. BLACKMORE: I had in mind the fact that in British Columbia the Indians had been refused credit.

The CHAIRMAN: The ultimate answer is that it is a provision of the Act, and there is the Act, and it is up to us to revise it. If we in our wisdom see fit to recommend a revision we may do so.

Mr. REID: I am in doubt now as a member of this committee. I have listened to the briefs which have been submitted and now I have listened to at least two gentlemen who have had a life long experience and have come before the committee, and who out of their experience say that these sections should be kept in the Act. And now I am in doubt. I really am in doubt about it. I was not in doubt when I listened to the Indians. I was for it. Now, I find myself completely turned about in my mind as to what policy we should adopt.

Mr. BLACKMORE: I am still more in doubt after what the chairman has said about it. I cannot see how the other provinces are free from the need of credit.

Hon. Mr. HORNER: I would like to say that it is my experience, and I have lived forty years in northern Saskatchewan quite close to a reserve; it certainly is not what you would call pasture land, it is not pasture land, not land that you could pasture ten head of cattle to the acre on. Of course, if it were bush land—I would just like to ask you this; if you don't think that policy is tied up to a certain extent with the charge of \$5 per head of every animal sold or butchered for the services of bulls, that certainly is a heavy charge. Do you not think so?

The WITNESS: Yes, I do; and I was one of those who recommended that it be stopped.

Hon. Mr. HORNER: Under the present system do you have any difficulty with cattle dying—do you have cases of any of them getting lost in the swamp without any trace at all?

*By Mr. Bryce:*

Q. I know I had my opportunity but everybody has been getting another chance so maybe you will let me ask this. You talk about pure bred bulls; do you participate in this scheme by which there is a dollar taken off for horned cattle when they go to the stockyard; you know the fund to which I refer, it is supposed to go for the purchase of pure bred bulls. Perhaps Mr. Hoey will have the answer to that? Do you participate in that, or do you let your horned cattle go to market and never get any of that dollar back?—A. We don't have many horned cattle going to market.

Q. But you have some?—A. A few, yes.

Q. You don't get anything back?—A. The policy is to de-horn them all now.

Q. That has been the policy for a long time, but there are still a lot of cattle reaching the stockyards that are not de-horned.—A. You will not find many Indian cattle from Saskatchewan reaching the stockyards now with horns.

Mr. REID: Have you tried the practice of de-horning the calves?

The WITNESS: That is the general practice.

*By the Chairman:*

Q. Now, there is the question raised by Mr. Lickers, it relates to a portion of the brief submitted by the Union of Saskatchewan Indians in connection with one Lucien Bruce. Apparently Lucien Bruce was appointed a commissioner

or something to take affidavits, and he made complaints concerning treatment of Mr. and Mrs. Frank Wolfe, and there was some comment in the committee at one time about this. We had reports from Mr. Davis, who was the Indian agent in Saskatchewan, and he said he had investigated the matter and found nothing to it; and he also found apparently that Mr. Bruce while he may have been appointed a commissioner probably was not the most outstanding man in Saskatchewan to do that work, having apparently served time for some offences. Do you know anything about that case?—A. Yes, Mr. Chairman, I know quite a bit about it; I investigated it. And I am quite satisfied that the only reason that Indian was not receiving a pension is that he has refused to go to a hospital, I mean Frank Wolfe; and on my last visit to the Punni chy agency, which was about three weeks ago, the chief of the band came to me of his own free will and surprised me by registering an official protest against Lucien Bruce acting as spokesman for his band. He strongly objected. He said Lucien Bruce was not fit to represent them, he had never been chosen by them and they did not consider that he had any right to speak for them.

Q. Well, now, in this brief they said:—

While the Union cannot now ask that Mr. Davis's reference to Mr. Bruce's conviction be struck from the record, it does ask that Mr. Davis be requested to withdraw the last two sentences of the last paragraph of his letter to Mr. Ostrander of August 17, 1946.

Referring to the last paragraph of Mr. Davis' letter to Mr. Ostrander of August 17 it reads as follows—it is the last two sentences of the letter—

The last time he was sentenced in Regina jail was April, 1943, for theft, and I am very surprised that the provincial government appointed a man like him as a commissioner for oaths.

The other sentence is:—

This man is not reliable and has a jail record.

Do you know anything about a jail record?—A. No more than what is given in the letter.

Q. This is a report to you from Mr. Davis, is it?—A. Yes.

Q. So there is no way you can withdraw what Mr. Davis has said?—A. And before I was inspector for the province, too. I have no right to suggest that be withdrawn or even have anything to do with it as far as I can see.

Hon. Mr. HORNER: What is it that is asked to be withdrawn.

The CHAIRMAN: The brief says:—

While the Union cannot now ask that Mr. Davis' reference to Mr. Bruce's conviction be struck from the record, it does ask that Mr. Davis be requested to withdraw the last two sentences of the last paragraph of his letter to Mr. Ostrander of August 17, 1946.

My own personal opinion is that the matter might far better be dropped. If Mr. Bruce was convicted at any time that is on the official records. I think the less said about it by the Union of Saskatchewan Indians or by this committee the better. It is certainly not any kindness to Mr. Bruce to bring it up again.

Hon. Mr. HORNER: Is it not a famous point of law in the old country that if a man has been convicted and has served time and someone makes use of that fact in a public way he can take action.

Mr. BRYCE: The Chairman should be able to give us some free advice on that.

Hon. Mr. HORNER: I remember reading where they had a policy of putting up a man's picture in railway cars in England and the man took action and was successful in winning his case. He had served his time.

The CHAIRMAN: I do not think that is what we are concerned with here. The law of libel is rather involved and I do not propose to expound it at this moment, or the law of slander either, for that matter. Certainly it is no kindness to this man, Mr. Bruce, for the Union of Saskatchewan Indians to revive the matter now. I would think the matter might well be dropped at this moment. If the man has served his time so far as we are concerned he has paid his debt to society. Let him live in peace and let him prove himself. As far as we are concerned that is the end of it.

*By Mr. Lickers:*

Q. In Saskatchewan the Indians have to have a permit to sell, and according to the Indian Act the buyer if he is a white man also has to have a permit to buy?—A. Yes.

Q. Now then, up in the north where you are bartering with furs is there anybody has an monopoly on buying from the Indians, and if so what protection has the Indian got to see that he gets the right price if he has to sell to a particular man or company?—A. In the northern part of Saskatchewan all muskrat and beaver furs have to be marketed through the Saskatchewan Fur Marketing Board.

Hon. Mr. HORNER: That is just recently.

*By Mr. Bryce:*

Q. Did the Hudson Bay Company need a permit to buy furs from the Indians?—A. I do not think that permits were used at any time in connection with the handling of furs.

*By Mr. Lickers:*

Q. According to the Act it says in connection with bartering or anything. Is that not being lived up to?—A. I do not read that as bartering in furs.

Q. Section 122 of the Act reads:—

Every person being (d) in the province of Manitoba, Saskatchewan or Alberta, or the Territories who, on a reserve, without the special licence in writing of the Superintendent General, trades with any Indian or directly or indirectly sells to him any goods or supplies, cattle or other animals, shall be liable to a fine equal in amount to double the sum received for the goods,

and so on. Is that not being lived up to in Saskatchewan?—A. In the southern part of the province, yes; in the northern part we are not organized at all and could not possibly handle it.

Q. I am wondering if anybody has a monopoly in dealing with the Indians in the southern part in connection with selling to them, and if so, what protection does the department afford the Indian?—A. There is no monopoly that I know of relating to dealing with the Indians in any part of Saskatchewan or anything verging on a monopoly.

Q. Do the Indians have their own grocery stores on the reserves?—A. There is only one Indian co-operative store at the present time, but I believe the Indians now want to establish several. There is only one in operation.

Q. Would you be in favour then of that section of the Indian Act being deleted altogether?

*By the Chairman:*

Q. Would you like to consider that?—A. Yes. I am not so sure I would like to see it deleted either because that is our protection against people going on to a reserve before fairs or exhibitions and talking the Indian out of a plow that he needs for his summer fallowing.



*By Mr. Lickers:*

Q. Things like that are mentioned in three or four places in the Act. For instance, section 45 also mentions the need to have a permit to buy from the Indians in the three prairie provinces and the territories. I notice in one of the briefs they were complaining about the family allowances being paid to them in kind rather than in cash. Is that done very much in Saskatchewan?—A. In the northern part of the province there seems to be no other way of handling family allowances other than what we call category D which is in kind. I do not see how it is possible for it to be handled to the benefit of the Indians in any other way.

Q. Are the prices used the prevailing prices in that locality or those in some place as close to the Indian as you can get?—A. Prices are well established in the north because they are based on wholesale prices and cost of transportation to those areas. To us in the areas where transportation is no problem some of those prices may seem pretty high, but \$2 a hundred is a common freight rate say from Prince Albert to Lac Laronge. It costs \$2 a hundred to ship in there, and then you have only landed at Lac Laronge. Some of that freight has to go on by packing it on their backs over portages and by canoes, and so forth, so that freight becomes pretty high in some of those areas where category D is in operation.

Q. So that where the Indian has no facilities to go and buy then kind is shipped in to them for the family allowances?—A. The traders in the north as soon as they knew the family allowances were going to go into effect got from the department an approved list of supplies which would be suitable for the Indians. Many of them put in new supplies on their shelves, supplies they had never carried before in order that those things would be available when the Indian wanted them.

Q. You have nine Indian agents in Saskatchewan?—A. Yes.

Q. How many of those Indian agents act as justices of the peace in connection with offences in contravention of the Indian Act?—A. They all have the powers of two justices of the peace at the present time.

Q. Do they all hold court themselves for any offences on the reserves?—A. At times I think they all have, yes.

Q. Are not any of those reserves in any county or other jurisdiction as far as criminal matters are concerned?—A. Some of them are, and in most of those cases now where it is not too difficult to get a magistrate the Indian agent gets a magistrate, but in many of those areas it is very difficult to get a magistrate.

Q. Is that working out satisfactorily?—A. Oh, I would be glad to see the day when there would be plenty of magistrates so that the Indian agents would not have to act, but there are not plenty at the present time.

The CHAIRMAN: Thank you very much, Mr. Ostrander. We appreciate very much your coming before us from Saskatchewan and helping us in our deliberations here. I trust you will convey to the Indian agents in the province of Saskatchewan our very best wishes and our hope that we will succeed in revising the Indian Act in due course to the satisfaction not only of the Indians but of all Indian agents and all other officials of your department. Thank you very much.

The WITNESS: Thank you very much, Mr. Chairman and gentlemen. I do appreciate the hearing that I have been allowed to take part in. I hope your deliberations will result in many changes. Our Indians deserve better than they have had in the past. I tell them at meetings this is the most important thing that has happened to them since their original treaties were made. Some of

those treaties were made 60 and 70 years ago, and they have gone all that time without having their affairs really overhauled. I repeat this is the finest thing that has happened in the lives of nearly all of our living Indians. Thank you.

The CHAIRMAN: We have with us Mr. T. L. Bannah, Indian agent at St. Regis, near Cornwall, Ontario.

**T. L. Bannah, called:**

The CHAIRMAN: You have wanted to see an Indian agent and discuss Indian affairs with an Indian agent. This is your opportunity to do so.

*By the Chairman:*

Q. You are an Indian agent for the St. Regis Indian agency. What reserve are you directing?—A. We have two reserves, one called the Cornwall Island reserve and the other the St. Regis reserve. We are in the provinces of Ontario and Quebec.

Q. How long have you been an Indian agent?—A. I am in my third year as agent. I had five years, previously, as clerk.

Q. Where were you clerk?—A. At St. Regis.

Q. In other words, there has been a system of promotion in that agency?—A. Yes.

Q. Would you mind telling us your age?—A. Forty.

Q. What training have you had, other than as an Indian agent's clerk?—A. I have had experience with the Colonization Department and the Department of Highways where we had a great many dealings with municipalities. I think that training has been very important in my dealings with the Indians.

Q. What scholastic training have you had?—A. I have my senior matriculation. I have also my degree from the University of Scranton as a traffic agent. I have my commercial training in bookkeeping and accountancy.

The CHAIRMAN: If there are any questions you desire to ask, gentlemen, this is your opportunity. I might say, first, Mr. Bannah is here today merely on routine business with the department. He is not prepared to present any brief. He had no knowledge when he came to Ottawa he was going to be asked to appear before this committee. If you gentlemen would care to put any questions to him which might be of assistance to the committee, now is your opportunity.

*By Mr. Horner:*

Q. How many Indians have you on your reserve?—A. 1,613 at the last census. You must understand, in our case, this is a sort of international reserve. On the American side, there are 2,000, but we have no jurisdiction over them.

Q. What occupations do they chiefly follow on your reserve?—A. I would say it varied. About 60 per cent of our population are engaged in farming and about 40 per cent, the balance, are engaged in farming, market gardening and industrial occupations.

*By the Chairman:*

Q. Do they commute between the United States and Canada on the reserve?—A. Yes, they have that right under the Jay treaty.

Q. Do they farm between places, as it were, first farming in the United States and then in Canada for a while?—A. No, not in that respect, but we have a few cases where the farms will extend over the border into the United States.

*By Hon. Mr. Stirling:*

Q. Across the river?—A. No, the reserve is on the mainland. I am referring to that.

Q. You are on the south bank of the river?—A. Yes, on the south bank.

*By Mr. Reid:*

Q. How do you know which Indians are Canadian and which are American?—A. We know.

Q. How do you know?—A. We know where the line is.

Q. Have you the Indians registered? How do you know which is your flock and which is the American flock?—A. You mean with regard to the Indians themselves.

Q. Yes.—A. Oh yes, definitely, we have the band list containing the names of all our Indians.

*By Mr. Case:*

Q. Does the Indian live on the United States reserve tax free?—A. Yes.

Q. So it makes no difference?—A. No.

*By the Chairman:*

Q. Supposing a man has a farm partly in the United States and partly in Canada. He reaps a crop. Where is his crop sold, in Canada or the United States?—A. That is a rather contentious question because there are some crops which are not marketable in the United States according to the Customs Act of that country. However, we manage to get along pretty well.

Q. By just moving the crop into Canada, is that it?—A. Well, there are certain conditions. The officials who are charged with that responsibility down in that particular area are very fair.

*By Hon. Mr. Horner:*

Q. Would you say, since you have been there on that reserve that the Indians are making progress?—A. Oh definitely, yes.

*By Hon. Mr. Stirling:*

Q. Where is your market for the market garden stuff?—A. Chiefly in Cornwall.

The CHAIRMAN: What is this permit system you mention?

Mr. HOEY: Here is a man operating without a permit system. I thought it might be of assistance to the committee if they enquired as to whether or not the Canadians are exploited or whether there is an attempt at exploitation or not in the disposal of their farm products?

The CHAIRMAN: We had a discussion this afternoon in connection with the prairie provinces bartering trade.

Hon. Mr. HORNER: Yes, this would be very interesting.

The WITNESS: We do not work under the permit system there. It is rather difficult to define the thing. I might say our Indians have learned the hard way. I am not going to get into any controversy over the permit system, but I think we should keep in mind that farming is a comparatively new industry for the Indians as compared with trapping. So far as our non-permit system is concerned, I think at the present time it is working out very well. This is due chiefly to the fact that, as I said a minute ago, most of our Indians have learned the hard way. Those who are commencing to engage in farming have a chance to profit by the experience of the Indians who have gone ahead.



*By Mr. Lickers:*

Q. They are becoming shrewd bargainers?—A. I think they are.

*By Hon. Mr. Stirling:*

Q. How does the Indian who produces the vegetable operate? He packs them, I suppose, in some way and takes them across the river to the Cornwall market. Then, what happens?—A. Generally what they do there—I do not want you to get the term “market gardening” mixed up with those people who are going into it on a very large scale, because our Indians have not reached that stage yet. In the case of small fruits and things such as that, they generally sell them through the local stores. Sometimes the Indians bid for the higher prices by delivering to the cottages along the St. Lawrence. In other words, wherever they can market the highest, they deal.

*By Mr. Case:*

Q. How many acres of land would you say you had in your reserve?—A. In our reserve, approximately 9,000. However, that does not mean it is all arable land, it is not.

Q. Do large numbers of your Indians earn their living off the reserve?—A. Oh, yes.

Q. Working in mills?—A. Working in the various industries in the United States and Canada.

Q. How many schools have you?—A. We have six schools, that is, five one-room schools and one two-room school.

Q. They are all day schools?—A. Oh, definitely, yes.

Q. What grades are taught in those schools?—A. Up to the eighth grade.

Q. Is there a general desire amongst the Indians on your reserve to go on to a higher education?—A. We are rather badly located from a geographical standpoint. You see, part of our reserve is in the province of Quebec, but we are a long way from that province. Most of our dealings, even with the Quebec resident Indians, are in the province of Ontario. What we have been doing to try and get around this angle is to try and keep our relations on a very high plane with the Ontario officials. For this reason, any child who gets through the Quebec school has the privilege of writing Ontario entrance examinations and is admitted, without any questions, to the Ontario high school.

*By Mr. Farquhar:*

Q. Are your schools non-denominational?—A. Well, they are non-denominational to this extent. We have both Protestant and Catholic pupils going to the same school. We have Catholic teachers and we have Protestant teachers as well.

*By Mr. Case:*

Q. Have you a full staff of teachers at the present time?—A. Yes. We are very fortunate in that respect.

Q. Can you tell me approximately how many children are attending the schools?—A. Close to 200, but that is not the exact figure.

*By Mr. Blackmore:*

Q. Are the schools conducted under the jurisdiction of the Department of Indian Affairs?—A. Yes.

Q. You use the Ontario provincial curriculum?—A. We use the Ontario curriculum and the Quebec curriculum as well. What I try to do there is to get the cooperation of the teachers to adopt anything I believe will be of benefit to the Indians.

Mr. HOEY: Mr. Bannah has been particularly successful in the organization of boy scouts, girl guides and home-makers clubs. I do not know that any Indian agent in Canada has made a better job of that. I think it might be a good thing for him to tell us how he went about doing that and the success he has had with these girl guides, boy scouts and home-makers clubs. Will you just, in a few sentences, for the benefit of the committee tell us what you have accomplished in that regard.

The WITNESS: We were up against a very difficult situation there, Mr. Hoey, inasmuch as our children and their fathers and mothers, for that matter, had not, at any time, the advantage of any association with any of these organizations. Now, I thought it would be a very good idea to try and have our children join the regular boy scout movement. I found out they were not prepared for that, so I drew up a program which I called, for the want of a better name, the Indian Scouts. We worked along those lines.

In other words, we injected into our scout movement, things which we knew would appeal to the Indian children. For instance, we took up many of the finer arts the Indians had accomplished in the past and we brought those to the attention of the children. The children took a little more pride in the thing. It is peculiar how this has worked out. After about a year of that, the girls decided they would go into the regular girl guide movement. I do not know, but probably we have about the only troop of Indian girl guides in the country.

The CHAIRMAN: There is one at Brantford, I am told.

The WITNESS: I did not know that, but I remember when Lady Baden-Powell came to Canada, she was very much interested in it.

We also have organizations which we call Young People's Clubs, to take care of that group of children between the ages of 16 and 25. This is a very critical period in the life of an Indian boy or girl, in fact, of any boy or girl.

Now what we are trying to do there is this. We are trying to take these boys and girls that have just left school and hold them together until they are in a position to get their feet on the ground. So far, of course, we have not gone very far in this. We have had about a year's experience but I would say it is working out very well.

Mr. HOEY: And how do you get uniforms?

The WITNESS: For the girl guide movement we have had to depend upon the generosity of the department but they have been very good to us. What we are trying to do now is to get them to take over the responsibility of organizing the youth movement. I do not want to take that over because I feel that if the Indians will take it over they will do a much better job and will be much more interested in it.

Mr. HOEY: What about the homemaker's club, the women?

The WITNESS: We have homemaker's clubs and of course our membership varies in those clubs but they do take a very great interest in the remodelling of clothing and a general improvement of their homes and gardens. I do not say we are advanced as far as I would like but we are on the right track.

The CHAIRMAN: How long have you had a homemaker's club?

The WITNESS: We are in the third year with them.

*By Mr. Case:*

Q. Are the Indian women good housekeepers?—A. Generally I would say they are very good.

Q. Have you any housing problem?—A. Well I do not think we are much different from anybody else. We have had our own troubles and it is pretty hard to get materials.

Q. But the houses that you have are in a pretty fair state of repair?—A. Generally speaking they are pretty fair.

*By Hon. Mr. Horner:*

Q. Have you any lumber there?—A. Unfortunately we have not.

Q. And the roads, what are the roads like?—A. Our road situation is being improved all the time and I think in one section of our reserve, on the Ontario side, we have equal if not better roads than those maintained by the province. We are starting this year to go into the road problem on the Quebec side and I am sure that when we are finished it will be the same there.

Q. Who inspects the schools, the Ontario inspectors or the Quebec inspectors?—A. We have both the Ontario and the Quebec inspectors.

*By Mr. Case:*

Q. Do you have an Indian council and chief?—A. We have a twelve-man council and they have their own chief.

Q. Are those men elected by the band?—A. Yes, by the band, on a three year term.

Q. Do you cooperate with the council pretty well?—A. Definitely, yes. It has been very difficult there in years gone by to get action out of the council but we have been very fortunate since I have been in the picture. I cooperate with them 100 per cent and they cooperate with me 100 per cent. What I am trying to do is to bring them along in more or less a fashion which will lead to municipal self-government.

Q. Do you find a general tendency with them to help themselves? Are they developing initiative and do they offer you suggestions for the improvement of the band?—A. Yes, they do. We have had a great deal of discussion about that with the chief. We are very fortunate in having a young and aggressive chief who has good ideals and it is not very difficult to work with a man like that.

THE CHAIRMAN: And is he eligible for re-election?

THE WITNESS: Yes.

*By Hon. Mr. Stirling:*

Q. Is he a farmer?—A. No.

Q. What does he do?—A. He just has a small holding.

Q. Have you any Indians who have gone ahead in any chosen line, professional or industrial, who has left the reserve and become enfranchised?—A. We have enfranchised Indians but I do not say that they have entered professions. The reserve has one, he is a member of the Oblate order but he has been down in the States since before my time.

MR. HOEY: But the priest in charge of your church at St. Regis is an Indian?

THE WITNESS: Yes.

MR. LICKERS: He is from what reserve?

MR. HOEY: From Caughnawaga.

HON. MR. STIRLING: Would you say they are in favour of enfranchisement?

THE WITNESS: Generally speaking, no. What I think the Indian is afraid is that he is going to be taken away from his home and transplanted into a strange place. I think that is what has been in the back of his mind and for that reason he fears enfranchisement.

MR. LICKERS: They do not differentiate between the right to vote and enfranchisement?



The WITNESS: Well, they get those two things confused.

*By Mr. Blackmore:*

Q. Do you have any difficulty with water, that is for the Indian holdings? Is water plentiful?—A. We are very fortunate because we are nearly surrounded by water.

Q. That becomes a very serious problem on many reserves.—A. We are very fortunate and except in severe years we have sufficient precipitation to handle the crops. Of course in addition, we always have the St. Lawrence to fall back on.

Hon. Mr. HORNER: Do you have wells for some of your areas?

The WITNESS: Yes, in the villages we have drilled wells. That is where there is more or less congested population the department has drilled wells.

Mr. CASE: Are there good sanitation facilities in the villages?

The WITNESS: We have no sewage disposal system if you mean that.

*By Mr. Blackmore:*

Q. Can you tell us the average cost of drilling wells?—A. Well, I think it would be safe to say it costs five dollars a foot for six-inch casing and you could not get it done for that today.

Q. How deep does the ordinary well have to be drilled?—A. Well, the artesian wells are approximately 135 feet deep.

Q. The Indian Department has borne that expense?—A. Oh yes, we have five artesian wells in the village.

Q. Artesian wells?—A. Yes.

Hon. Mr. HORNER: Do you have to drill as deep as 130 feet?

The WITNESS: Yes, there is no use drilling a well unless it maintains a proper level. The bottom is generally seven feet below the level of the ground.

Hon. Mr. STIRLING: Below the level of the river?

The WITNESS: Yes.

*By Mr. Blackmore:*

Q. Have you any other wells outside of those?—A. Yes, in the outlying districts they have to dig wells but at the schools they are mostly all drilled wells.

Q. They would not have to dig those so deep? They would not be more than forty feet, for instance?—A. Well, it is surprising that in the eastern section of the reserve they do not have to go very far because it is more or less sandy country and the sub-soil runs more to the gravelly type so they get water very easily there.

The CHAIRMAN: How far is this from Ottawa?

The WITNESS: I would say 75 miles.

*By Mr. Case:*

Q. Do they Indians intermingle with the whites or are there white settlements nearby?—A. We are practically surrounded by whites.

Q. Do the white people visit your reserve and do they intermingle?—A. Yes, there is quite a bit of communication carried on that way.

Q. Do you think it is a good thing for the Indians to have that association with the whites?—A. Yes, I think it is. As a matter of fact I do not think there is enough of that done, or at least that has been my experience. I was asked one time to appear before the Kiwanis Club and give a little talk on

Indians. Afterwards I was very pleased that I had done so because I got to know a number of the fellows and they in turn got to know a number of the problems that the Indian was up against with the result that it has a tendency to make for better relations and thereby give the Indian a better chance for employment and the various things he needs.

Mr. BLACKMORE: Have you had considerable intermarriage?

The WITNESS: I would not say considerable, but we have had intermarriage between the Indians and the whites.

*By Mr. Case:*

Q. Does it appear to be working satisfactorily, that is to say the intermarriages of which you have knowledge?—A. I am sorry sir, I did not catch that.

Q. Do the intermarriages of which you have knowledge appear to be working satisfactorily?—A. I would not say it is working out as well as it should.

Q. Which would you say is the best type of intermarriage, an Indian boy to marry a white girl or a white man to marry an Indian girl? Could you give an estimate?—A. Well I think it is a draw.

Hon. Mr. HORNER: Mr. Chairman, I want to say that it has been very nice indeed to hear from this gentleman, Mr. Bannah, and I appreciate very much the opportunity which has been afforded to us of hearing him.

The CHAIRMAN: I thank Mr. Bannah on behalf of this committee. We want to show our appreciation to you for having come here, and I know that I speak the mind of all members of the committee when I express to you our thanks for having come here quite unprepared and not expecting to be called before this committee. What you have had to say has been most interesting and you have given us an intimate, useful picture of Indian life on your reservation, one that has been very enlightening and very helpful. Again I want to tell you how much we appreciate it and to thank you very much.

The WITNESS: Thank you, Mr. Chairman.

The CHAIRMAN: We will meet again on Thursday morning, at eleven o'clock.

The committee adjourned at 6.05 p.m. to meet again on Thursday next, May 15, 1947, at 11 a.m.

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## APPENDIX EV

Fort a la Corne, Sask.,  
March 7, 1947.

To the Special Committee of the Senate and the House of Commons, Inquiring into Indian Affairs.

We, the Chief, Council and the Band of James Smith's Reserve No. 100, Fort a la Corne, Saskatchewan, do hereby present our brief or representations to the special joint committee of the Senate and the House of Commons and do ask the Honourable Members of Parliament to hear our representations on behalf of our Band. We base our views on conditions affecting our local surroundings.

First, we want to thank Mr. H. A. Hoey, Director of Indian Affairs, for there has been a great change since he took over the administration of Indian Affairs. We also want to thank Honourable J. A. Glen for bringing the special joint Committee into being. The Nation's best minds met the war challenge and were very successful and came out on top. A similar group, (The Special Joint Committee), is working out the Indian Administration to suggest amendments in the present Indian Act for the betterment of conditions among the Indian population of Canada.

We Indians of Canada vary to a marked degree in appearance, manner of living, educational accomplishments, health and religious attachment. Most of the Indians in our Reserve are still in the nomadic state. The old Indian way of living is still strong in our present generation. We are still about fifty years behind the modern world.

*Treaty Rights and obligations.*—We the Indians of North America, owned the whole of North America before the white man came. The Hudson's Bay Company came over from across the ocean to trade with Indians in the year 1869. The Hudson's Bay Company received from the British Government about \$1,500,000. in money and one-twentieth of the land in the fertile belt, together with certain blocks of land near the Trading Posts as payment for Governmental Rights, and so after this deal, Queen Victoria, Queen of England, sent her representatives, Honourable Alexander Morris to make treaties with the North America Indians.

It takes two nations to make a Treaty—a solemn covenant based on sacred faith and understanding. No laws of Parliament, Orders in Council or Regulations can alter the wording of any Treaty and we can safely say we have kept our faith and the obligations from our ancestors to the present generation. We played the game with loyalty to the British Crown and we want the Dominion Government to live up to the Treaties the way our ancestors understood them. Our ancestors had no other way to keep the sacred promises given to them, only by memory. They said then their brains were like paper. They thought that all the promises given to them were written on the parchment.

We hope the Special Joint Committee will repeat the words of our Treaties and live up to their obligations. We want our Treaties to be as good now as when made. The conveyance of the natural resources to the Province did not include our hunting, trapping and fishing rights. We want assurance that all the rights granted to us under our Treaties be guaranteed to us for all time.

*Band Membership.*—No person or half-breed should be allowed or admitted into an Indian Reserve to become a member of the Band. The Indians in general are increasing in members and before very long we will need all the land we have now for our future generations. The Chief, Council and the Band should be judges of who should be admitted into the Reserve and only by a hundred per cent vote of male members of a Band. We have had experience already—voting in families to our Reserve and we are very sorry now, so one mistake is enough for us.

Section 14 of the Indian Act should read: Any Indian woman who marries other than an Indian shall cease to be an Indian in any respect and at the time of marriage she shall be given her commutation and be done with the Reserve—so that both Indians and the Indian Affairs Branch will have no more to do with her. We have about ten of our woman married to half-breeds and white men and most of them are living around our Reserve on Road Allowances, waiting to jump into our Reserve at a moment's notice. They still think they have an interest in our Reserve. We don't want any of them back, and we are not in any way tied up with them. We hope the revision of the Indian Act will take care of that. They should all be given full enfranchisement when they marry outside their Reserve.

*Liability of Indians to pay Taxes.*—We are not liable for taxation in our own Reserve and we want to remain that way as long as the sun shines and the Saskatchewan River flows. We are paying tax on all goods that are taxable—we pay income tax. We are paying a lot of tax and no one can say that we are not. Whenever we step out of our Reserve we are like white men. When we sent a delegate to Ottawa to the Indian convention, the delegate paid about \$16.65 taxes beside the railway fare.

*Enfranchisement of Indians, both voluntary and involuntary.*—We are not in favour of general enfranchisement of Indians. Enfranchisement should be left to each individual according to his or her fitness. We have a long way to go yet to be fit for full enfranchisement. Forget about enfranchisement. You can't make a white man out of an Indian overnight.

*Eligibility of Indians to vote at Dominion elections.*—We don't want the vote. It will be a first step towards taxation. We are minors and we would be breaking our Treaties if we consented to take part in Dominion elections. You can't keep out the stray drink or fire water from the Reserves. We will be that much poorer for the sake of a glass of beer.

*Encroachment of White Persons on Indian Reserve.* The Indian Act should be the way it is now about trespassing. At the time of the north-west Rebellion in the year 1885, the Band of Chacatapasin Reserve No. 98 came to our Reserve and never went back to their own Reserve. They were amalgamated with Cumberland Reserve Band No. 100A and with James Smith's Reserve Band No. 100, formed one Band. In the year 1897, the Chacatapasin Band sold their Reserve containing about 15,360 acres, and in the year 1902 they again sold the Cumberland Reserve No. 100A, about 22,080 acres. They sold about 37,340 acres altogether and this is how the James Smith Band comes to have funds. If we had obtained a decent price for our land then, we might have been well off Indians today.

We are informed that the following sums were paid to farming instructors in the various years given, and that these salaries of the Instructors were



charged to our Band funds. We have a letter from the Indian Agent that the following sums have been charged to us:

Assistant Farmer, name not given, 13 months to March 13, 1918 .....	\$ 295.79
Farmer, J. H. Henderson to March 31, 1922.....	720.00
Farming Instructor, T. J. Jordan, May 15, 1922 to March 31, 1923 .....	632.90
12 months for fiscal year 1923-1924.....	810.00
12 months for fiscal year 1924-1925.....	840.00
Farming Inspector, T. J. Jordan, 1925-1926.....	1,080.00
Total amount charged to us.....	\$4,378.69

We are not sure whether this is the total amount of charges which have been made against our Band funds for the salary of instructors. Our contention is that these charges have been made without authority and the amount of these charges should be restored to the Band funds, plus the interest which would have been earned on these sums from the date they were charged up to our account until the present time. We could cite the case of the Mistawasis Indian Reserve which was taken to the Exchequer Court of Canada and it was ordered by the Court that the charges for salaries of the farming instructors were not chargeable to the Band funds and the amount was restored to the funds of the Reserve. We are in a similar position and we would request that this matter be taken up, the amount restored to our Band funds and the interest payable to us adjusted so that we would receive interest on these amounts which were wrongly charged to us in the first place.

In the year 1921 the Hudson's Bay Company surveyed the land adjoining our Reserve and surveyed a road allowance through our Reserve about half a mile long, without the consent of our Band.

Operation of Indian Day Schools and Residential Schools. All schools both day and Boarding schools, should be under the Federal Government supervision—let them do the hiring and so forth, but do not divorce religion from education altogether. Survival of a nation is religion. This is a hard question. We don't want to cause any friction. We know the government won't like to do it. One thing is common on our Reserve—intermarriage—Roman Catholics and Protestants, Protestants children going to Roman Catholic Boarding Schools etc. The majority of our Reserve are Anglicans. We voted in a family from another Reserve who were Roman Catholics. The head of the family told us if we let him come in our Reserve, he and all his family would turn Anglicans, but when he got in he would not change his religion and made fools out of us. He is sending his children to our day school in our reserve—Anglican school. Increase in salary for all teachers should be the first step for higher education of Indians. The teacher is the school. With poor equipment, a school can still be useful if the teacher is good. The teacher should get teachers' Superannuation. With underpaid, restless teachers, no amount of money spent on buildings or books will make a school you want your children to attend, so the only way to get and hold good teachers is to pay them salaries roughly equal to the money they might earn in other professions, such as lawyers, doctors, dentists or engineers. The Indians Affairs Branch should increase the salaries if the Government wants to improve the educational system for the Indians. Let them guarantee salaries for teachers. The Day schools and teachers' houses in our Reserve need improvements and the schools are too small. One school on the south side of our Reserve has no water. We have to haul water nearly all the year around. This school should be moved to where there is water.

What our children are taught should depend upon what they most urgently need to know, not upon customs set up long ago. Our children should be prepared to play an effective part in the adult world. The less the Boarding school resembles an isolated retreat from the world, the better off our children and we will be.

If Education is to help or take advantage of the opportunities offered by the world today, the Government must examine the list of subjects taught in our schools. If the children in the Boarding School were given full time instead of every other day, our children would receive much more benefit. Indian parents never get any report on their childrens' mental capacity. Books and other teaching material should be modern and up to date.

The Government formed the Special Joint Committee to examine and consider the Indian Act. A similar group should be formed to work out one of the greatest problems,—Education.

The Trust fund we have was created by the sales of our land. We want amendment of the agreement made between the Band and the Indian Department officials as to the management of our money. We want assurance that the money held in Trust funds is our money. We want authority as to the expenditure of our money. We want an itemized statement so the Chief and Council will know how much they will have to work on for the benefit of the Band. We are building a house for our Missionary in our Reserve. We ask the Indian Affairs Branch to let us use part of our interest money toward this building. They said if they do, they would have to take over the building under their supervision. We are ready to start the house this spring. We have the concrete for a full size basement. We did not ask much compared to the cost of the building when finished.

We leased part of our Reserve to James Clagget of Melfort, Sask., for the period of seven years. This lease expires after the 1947 crop. The Indian Agent asked us if we would lease the same land for further five years. We were willing to lease it for the further five years on two conditions. Firstly—that we get a written guarantee from the Indian Affairs Branch, Superintendent General (Minister), that we get the land back after the five-year lease. Secondly—We were willing to lease the said land on a one-third crop basis. We were told that we are going to get only one-quarter crop. We asked our Indian Agent to write to the Indian Affairs Branch at Ottawa that we wish to cancel the five year Lease, as we want the land for the use of our Band.

Suspicion is our main objection about this land. It seems that we have no say as to what we are to get for the lease of our land.

We are not adopting the Brief the Union of Saskatchewan Indians prepared. We don't know the contents of the Brief. We are not members of this organization. They should confine this Brief to their members only. They can't say that they are representing all the Saskatchewan Indians. There will be criticism later on.

We have not time to fully explain what we want to say. We hope that we will get an opportunity to send more representations or to attend and listen to your deliberations and listen to the presentations being made. We are willing to send a representative to represent our Band at your meetings, to take up anything you would like to deal with in connection with our affairs. You are undertaking a great problem—to improve the welfare of the Indians in general. We understand it is not the business of the officials of the Indian Affairs Branch to lay down policy, but it is the business of the officials of the Department only, to administer the policy once laid down. We hope the policy you will lay down will give the Indians in general, equal rights to have a voice to administer most of their own affairs in their own Reserves. We hope the power of the Governor in Council, Superintendent General, and the Indian Agent will be

limited to a certain extent, to make the Chief and Council in general know that they are on the same level, are equal to the white civilization as human beings. We will have more pride and self respect. We will think that we are just as good as people around us. We will try to compete with our neighbours.

If we have to send a delegate to your meetings in the future, we would ask that he be allowed to travel for half-fare. We will pay all other expenses.

We respectfully submit this Brief for the consideration of the Joint Committee of the Senate and the House of Commons.

Witness the signature of the Chief and the Councillors on behalf of the James Smith Band of Indians, Reserve No. 100, Fort à la Corne, Saskatchewan.

GEORGE R. BURNS,  
*Councillor.*

EDWARD BURNS,  
*Councillor.*

ABEL McLEOD,  
*Chief.*

JOHN R. McLEOD,  
*Councillor.*

A BRIEF SUMMARY OF INDIAN ADMINISTRATION AND THE CONDITIONS OF THE INDIANS IN OUR RESERVE, NO. 100, AT FORT À LA CORNE.

Since the signing of the Treaties, we Indians have not made much progress, a mere existence. The Government officials who were hired to look after the Indians did not do much towards the advancement of the Indians. For the fifty years after the Treaties were signed, the Indian population was dying off. The people thought that the Indian problem would solve itself, or in other words, "root hog or die."

Some of the Indians on our Reserve are living in log shacks with mud roofs, the majority live in log houses with shingle roofs. It is a disgrace to the public eye to see the living conditions of some of our Band. We never have had an inspection from anyone outside of the Indian Affairs Branch officials. We were glad to hear that a member of the Special Joint Committee was coming to visit us, as it is the only way to get the true picture of the living conditions of the Indians on our Reserve. Destitution is greater in proportion now than when we had free access to our ways of living.

Since the Provincial Government took control of the Natural Resources, it clamped down tight on everything. Now we have no place to hunt or trap. Some of the Indians of our Band depend on hunting and trapping for their livelihood in winter time as do the farming Indians in their crop. The Government should have given us notice before making the changes that affect us. We did not have a chance to claim our trapping grounds. We should have been given priority as to our trapping rights. A few of our Band are self-supporting but the majority are merely existing. If it was not for the flour we are getting out of our interest money, there would be a lot of starving Indians on our Reserve right now. The flour we are getting out of our trust fund is a very good idea and we wish the Indian Affairs Branch to continue buying flour for us out of this interest money. The flour and the Family Allowances are of great help toward improving the health standard of our Band.



It helps us to get other necessities to improve the health of our children. The Indian is not himself, the way he used to be. He was strong, with great endurance and could go without food for days, but now one or two meals missed in a day will nearly knock him over. We are in want of the food we were accustomed to. We are in a dormant or torpid state, undernourished, weak, without energy and of low vitality.

The people say Indians are lazy, but we can have no ambition in the state we are now. We lack the vitamins that will help us to become a strong and healthy people. It will take time before we get used to white man's food. The administration in our Reserve was not the way it should have been in the past. The Indian Agents use a dictatorial attitude in their work among the Indians. They use, to their advantage, the powers they have over the Chief and Council. They do not reason with an Indian individually; they tried to cow us. They might have reason for this attitude, but it is a poor way to lead a horse to water.

The Chief, Council and the farming Instructor are only a mockery. They are criticized by the Band; they are no good and so on, but what means do they have to air their grievances to the Government? They have no voice, just a croak not heard from far. The Chief and Council should be given a living bonus so that they might put more time with their Band. Twenty-five and fifteen dollars a year is nothing compared with Indian Agents' or Farming Instructors' salaries. If the Chief and Council were given a decent living bonus, they would take more interest in their work in helping the Government Officials towards improving the living conditions of the Indians.

If we base the Treaty as when made, it is a horse and buggy for the Chief, but to base it by the modern world, it would be a car now, even a jeep would do. The medicine chest has grown to a dispensary. A few of our Band are self-supporting but the majority are merely existing. If the Indians were given proper guidance to become self-supporting instead of trying to keep them from going ahead.

Here is an incident which happened some years ago. Two of our members bought tractors on time payments. One of these Indians paid about \$800.00. The Indian Agent at that time ordered the Company which sold the tractors to go out and get their machines back, so our members who had these tractors were out the amount of money they paid. They never got a cent back. This is not helping an Indian to become a farmer. It is very little encouragement to him.

The aged and widows of our Reserve are not getting much relief. The rations they get each month only amount to around four dollars. The clothing they get is used men's clothing and the widows don't want to wear these garments. We ask for Old Age Pensions for the Indians. Hospitalization should be extended to Indians wherever they are. We know several occasions where Indians were refused hospitalization. A member of our Band, a woman, was refused admission to a hospital in time of travail. She had to go to the exhibition grounds where some Indians had a camp. About half an hour after she got to the camp she had a baby.

We don't want the Government to take offence. If we are going to get anywhere we have to be frank with each other. The powers of the Indian Agent should be limited to such extent that the Council of a Band should have just as much say as to their own affairs. If there is a farming Instructor in each Reserve comprising one Agency, there should be no Indian Agent. Give the Farming Instructor more authority so that he can do whatever he thinks is

best for the advancement of the Indians. He is the man that comes in direct contact with the Indians. He was given that responsibility and with cooperation from the Council we think it could be a good move.

This is respectfully submitted by the Chief and Council of the James Smith Band of Indians, Reserve No. 100, Fort à la Corne, Saskatchewan.

GEORGE R. BURNS,  
*Councillor.*

EDWARD BURNS,  
*Councillor.*

ABEL McLEOD,  
*Chief.*

JOHN R. McLEOD,  
*Councillor.*

### APPENDIX EW

LORLIE, SASK.,  
March 29th, 1947.

Special Joint Committee of the Senate and the  
House of Commons,  
Ottawa, Ont.

Mr. Chairman and Honourable Friends: We do not want to be misunderstood as interfering, nor do we want to take up any of your time, other than we would greatly appreciate having our submission read on the following subjects.

1st: We aim to build and maintain harmony with "all Canadians" and any others we may come in contact with.

2nd: Occasionally some parties find reason to circulate their opinions of we natives in the various publications; of these some are favourable, but there are others that tend to make of us a football. This is contrary to our principal of our union, and found in our constitution of Article 4, Sub. Section D, which reads: "Every member holds to the ancient code, love and help thy brother, of which it is our hope that we and all others will strive to live."

3rd: We wish to clear up some misunderstanding taken from the Leader-Post, Regina, Sask., Saturday, the 22nd instant.

Senator J. F. Johnston, "L. Sask." objected that there was no provision made for other Indian organizations of Sask. other than the Union, and we greatly appreciate his kind consideration on the matter, but we are led to believe amongst ourselves that when a representation takes place, it will be from the Union of Sask. Indians. The other three mentioned societies were self organized as far as our knowledge permitted, which created little if any, notice, and following. Sympathy was sought where it could be found, with no political status as a consideration, and through effort, our aim, the Union of Sask. Indians was organized, which we hope to maintain and have recognized.

We do not hold ourselves responsible for what the *Saskatoon Star Phoenix* published on Feb. 26th, but we do know that in reference to Mr. G. H. Castledon, Yorkton, he was called upon by some Indians for guidance. As to Dr. M. C. Schumaitcher, he was representing Chief Red Eagle, Priemer T. C. Douglas, who had promised we Indians in promoting their better welfare.

While we are very grateful to the mentioned gentleman, their political standing is no object to us, and which they, themselves, made very clear to us, of themselves, and for several reasons we do not want to become involved in and conflict, as prestatad.

1st: We are Treaty Indians and impartial, but welcome democracy of any Government in power.

2nd: We aim to abide by Article No. 2 of our Constitution which reads: "The Union shall be democratic and non-sectarian, and shall not directly or indirectly be affiliated to or connected with any political party.

3rd: We have had little or no practice in your methods of organizing politics and propaganda, of which we are none too stable, and may tend to retard the progress of all concerned.

In conclusion, we would like this understood as a measure of friendship and enlightenment, and we appreciate the fact that it will be accepted and treated in that manner.

Thanking you in advance, we are the executive members of the Peepeekisis Local of the Union, from the File Hills Agency.

Signed:

Chairman, M. DUTER,  
Director, Joe TRONQUIL.

## APPENDIX EX

### SPECIAL JOINT COMMITTEE OF SENATE AND HOUSE OF COMMONS APPOINTED TO EXAMINE THE INDIAN ACT

SUBMISSION OF DAY STAR AND POORMAN BANDS, PUNNICHY, SASKATCHEWAN

April, 1947

Approved Day Star Band general meeting April 24, 1947.

JAS. KINEQUON,  
Chief.

WM. BUFFALO,  
Councillor.

Approved Poorman Band general meeting April 19, 1947.

ED POOR MAN,  
Councillor,

JOHN SKEEBOSS,  
Councillor.

We, the Indians of Day Star and Poorman Bands respectfully submit the following brief for your consideration. This brief has been read and approved by both Day Star and Poorman Bands at meetings held on the two Reserves.

#### *Treaty Rights*

The Indians of Day Star and Poorman Bands derive their Treaty rights from *Qu'Appelle Treaty No. 4*. We would like to have assurance that all the rights granted to us under this Treaty will be guaranteed to us for all time.

There exists among the Indians a feeling that Treaty rights are being curtailed in matters relating to their rights over property and in respect to self-government.



The object of the Treaty was to make the Indians self-sustaining and Loyal Citizens of the Crown.

### *Indian Agents*

In the past in some cases Indian Agents have acted Arbitrarily without consulting the wishes of the Indians. We would like to have this changed. The Indian Agent should assist and encourage the Indians to govern their own affairs, rather than personally direct those affairs. Persons chosen by the crown to work among the Indians on the Reserves should have:—

- (1) a broad understanding and sympathy towards Indians and their problems;
- (2) a knowledge of statutes relating to Indians;
- (3) a knowledge of farming, trade, social welfare, and to help them towards self-government.

### *Welfare Worker*

We request that a Welfare Worker who has a broad understanding and sympathy toward Indians and their problems be attached to the Agency—one who is acceptable to the Indians concerned—whose duty would be to visit the Indians on the Reserves to help and advise them in their many problems and have the authority to deal directly with the Department at Ottawa.

### *Day School—Poorman Reserve*

We are very much in favour of Day Schools on the Reserves as substitute for Residential Schools.

There has been a Day School on Day Star Reserve for many years and we urgently request the government to establish a Day School on Poorman Reserve as soon as possible. This was promised to Poorman Band a few years ago but up to the present time no school has been established on the Reserve as promised.

Indian parents have an invaluable regard for their children and the fact of the children living at home while attending school is an asset toward adult education and improvement in home conditions.

### *Housing Conditions*

We request the government to start a housing program to provide us with decent houses, with good water supply and necessary Sanitary arrangements or supply necessary materials for construction. This is very necessary as some of the houses on the Reserve are not fit to live in.

### *Old Age Pensions*

We urgently request the government to grant Old Age Pensions to our old people, also Mothers' Allowances and aid to the blind and all other Social benefits. We would request that the Old Age Pensions start at the age of 60 years.

### *Roads*

We urgently request the government to grant us a good gravel road from Punnichy to the Day School on Day Star Reserve and also a good Road from Quinton to the Farm Instructor's house on Poorman Reserve. These roads are very necessary and would make the two Reserves accessible to Motor Traffic at least all summer and fall.

At present after rain the roads are impassable for days at a time for cars, which is a serious situation in case of sickness.

### *Band Membership*

We submit that the determination of members of the Bands should be a matter for the Band to decide and *the Band Only*. The consent of the majority of the Band should be obtained.

In the past Indians have been transferred from one Band to another without the consent of a Band Majority by Indian agents and Chiefs. This has caused trouble at times on the Reserves concerned. We feel that this is definitely a matter which should be left to the Band to decide.

### *Appointment of Persons on Reserve*

We submit that before any person is employed by the government to work among Indians on the Reserve that the feeling of the Band be taken into consideration in the matter.

There are times when a Band finds it impossible to co-operate with persons chosen by the government for these positions and work on the Reserve suffers accordingly.

### *Telephone*

We would request that a telephone be installed at the Day School on Day Star Reserve. The nearest telephone is three miles away and in cases of sickness on the Reserve or serious accidents especially during the winter months it is a very serious matter.

### *Hospitalization*

We ask that in cases of serious illness, we be allowed to enter any hospital for treatment and not be compelled to enter the Indian Hospital at Fort Qu'Appelle, which is a hospital for T.B. patients.

### *Grants for Ex-pupils*

In past years ex-pupils on leaving school at the age of sixteen years received a grant from the government of cattle, implements, etc., to enable them to make a start in farming. Also ex-girl pupils received some household effects on being married. This has not been carried out in many cases in recent years. We would ask that this practice be renewed and the grants given to those ex-pupils whom it may concern.

### *Pound Laws*

A great deal of trouble and damage to crops has been caused by horses and cattle straying into the Reserves. As the act stands at present we have no redress or can we obtain damages. The local Poundkeeper off the Reserve will not receive stray stock brought to Pound by Indians which have been found on the Reserve.

We would like to have this situation remedied as soon as possible or a Pound established for our use.

### *Extra Pay for Chiefs and Councillors*

We would like to submit that if the Indians are to be given the opportunity to govern themselves in a responsible manner, the chiefs receive \$100 per year and councillors \$75 per year in order that Indian Chiefs and Councillors may be able to perform their duties in a wholehearted and efficient manner.

### *Issue of Shot, Ball, Powder etc.*

In the Treaty we were granted an annual issue of Shot, Ball, Powder etc. We now receive this in the form of shells. We would request that we be granted an increase in the amount allotted to each Band.

*Medical Attention Away From Reserves*

Under the present system any Treaty Indian who is working away from his Reserve temporarily and suffering from an accident or illness is not allowed free medical attention.

We would request that under these circumstances we be allowed to receive free medical care from the nearest Doctor, chargeable to the Department.

*Conscription*

We object to conscription and would ask that exemption from Military Service be accorded by law to the Indians. A number of Indians from these Reserves served *voluntarily*. This is in accordance with the general wishes of the Bands.

*Requisition for Transport on Railways*

We would request that in place of the requisition for reduced fares which we are now allowed, we be granted free transportation on the Railways anywhere in the Dominion of Canada.











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Canada Indian Act, Spec. Jt. Cttee  
May 1947

SESSION 1947



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 22

THURSDAY, MAY 15, 1947

WITNESS:

Mr. J. W. McKinnon, B.A., B.Paed., School Inspector, Northwest  
Territories.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947

19 1947



## MINUTES OF PROCEEDINGS

THURSDAY, May 15, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. J. E. Matthews, M.P., Vice-Chairman of the House of Commons section.

*Present:*

*The Senate:* Honourable Senator Fallis.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Bryce, Blackmore, Case, Charlton, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*), MacLean, Raymond (*Wright*), and Richard (*Gloucester*).

*In attendance:* Mr. W. J. F. Pratt, Department of Mines & Resources, and Messrs. R. A. Hoey, Director, B. F. Neary, Superintendent, Welfare and Training, and H. M. Jones, Supervisor, Family Allowances of Indian Affairs Branch. Also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Bryce filed a list of questions seeking information relating to the Oka Indian Reserve, Quebec.

Mr. J. W. McKinnon, School Inspector, Northwest Territories, was called, read a brief and was questioned thereon.

Mr. Blackmore filed the following as a notice of motion:

Whereas: The final report of this Committee on the Indian Act is likely to be made not earlier than the close of the 1947 session of Parliament, and

Whereas: This Committee has heard sufficient evidence to satisfy its members that Canadian Indians are in serious need of immediate assistance of several kinds, and

Whereas: Mr. Hoey has conveyed to this Committee that his department, in order to discharge its responsibilities to the Indians under its charge, requires at least \$15,000,000 for the year 1947-48.

Therefore, be it resolved that this Indian Act Committee submit within 10 days an interim report to Parliament recommending that the Government consider the advisability of submitting to Parliament for the Indian Department an increase to, at least, \$15,000,000 in the Estimates for 1947-48.

Following a brief discussion, it was agreed to refer the said motion to the sub-committee on agenda and proceedings for study.

The Committee adjourned at 12.45 p.m. to meet again Monday, 19th May, at 11.00 o'clock a.m.

J. G. DUBROY,  
*Acting Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

May 15, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. The Vice-Chairman, Mr. J. E. Matthews, presided.

The VICE-CHAIRMAN: We now have a quorum, lady and gentlemen.

I have been informed that Mr. Zimmerman, the Assistant Commissioner of U.S. Indian Affairs will be here next Monday at 11.00 a.m. and the hearing of the Quebec delegation will be on June 12 and 13. The witness for to-day is Mr. McKinnon, school inspector for Northwest Territories. If you have anything to bring up at the present time it might be well to do so, otherwise we will proceed with Mr. McKinnon.

Mr. BRYCE: Mr. Chairman, the honourable member for Battleford asked for some information by way of the order paper in the House regarding the Oka Indians and he was refused. He was told that he could get the information from the Indian committee. I would like to make application now, that the department answer the following questions and supply the following correspondence, to be made available on the day the Oka Indian representative appears before the committee. The questions are:—

1. Are the Oka Indians treaty Indians?
2. Who owns the land they reside on?

The VICE-CHAIRMAN: What is your question there?

Mr. BRYCE: The second question is, who owns the land they reside on?

3. If they own the land they reside on, in what way did they get it in the first place?
4. A copy of the treaty, if any.
5. Copies of all correspondence between the officials of the Indian department, past or present, and those interested in the Oka reserve, resident or non-resident.

The VICE-CHAIRMAN: Well, that will be on the record Mr. Bryce, and I should think at our next meeting there will be a reply to it.

Mr. BRYCE: So long as we have it when the Oka Indians come, it will be all right, because that material will be valuable then.

The VICE-CHAIRMAN: Is that satisfactory?

Hon. Mrs. FALLIS: Mr. Chairman, while we are waiting for Mr. McKinnon I would just like to mention an editorial which appeared yesterday morning in a Toronto paper. Probably some of you saw the article. It was in connection with the work of this committee and it made a suggestion, which I am not sure is practical, but it was to this effect. It will likely be 1949 before the recommendations of this committee can be acted upon, that is in the way of the revision of the treaty, and while that is acknowledged there are a great many things which should be done immediately for the Indians in connection with medical attention and so on. Would it be possible for this committee to make recommendations to the government in the meantime that something in the nature of increased medical care or attention be given? I am referring to those things which we all feel are necessary. Could that be done before the completion of the work of the committee instead of keeping everybody waiting for two or three years more?

The VICE-CHAIRMAN: I think it is a good suggestion, Senator. You are suggesting here an interim report. Recommendations could be sent in at any time and it would cover some of the points.

Hon. Mrs. FALLIS: I think we are pretty well agreed that some of these things should be done.

The VICE-CHAIRMAN: Will you take a note of these things Mr. Lickers and it can be taken up with the joint chairman.

Now is there anything else to be done? Have you any other suggestions Senator?

Mr. GARIEPY: Mr. Chairman, I may mention that it would be proper to put on the record that several of the members of this committee have been irregular in their attendance at meetings of this committee for some time. The first reason is that the House of Commons is now having a very important debate and the second reason is that other committees have been sitting at the same time as this committee. I personally am a member of several of those committees and they have been asking me to go here and go here in order to make up a quorum. I have had to divide my attendance in consequence.

Mr. RICHARD: I am in the same position. I was on my way down a few days ago when I was stopped in the hall and asked to make a quorum in another committee and I had to retrace my steps.

The VICE-CHAIRMAN: I think if we were all as regular in our attendance as Mr. Gariepy and Mr. Richard we would be doing quite well.

I am now going to ask Mr. Hoey to introduce Mr. McKinnon.

Mr. HOEY: Mr. Chairman, Senator Fallis and gentlemen. Mr. McKinnon is not an employee of the Indian Affairs branch as such. He was appointed about a year or so ago by the Northwest Territories Council and undertook inspection of schools in the Territories. Inasmuch as we have a number of Indian residential schools in the area we have entered into an agreement with Mr. Gibson, the director of lands, parks, and forests branch, whereby Mr. McKinnon undertakes the inspection of our schools as well. Mr. McKinnon was appointed as the result of a recommendation of Dr. Andrew Moore, who undertook a survey of the educational facilities in the Northwest Territories about two or three years ago. One of Dr. Moore's recommendations was that an inspector of schools be immediately appointed and that recommendation was acted upon by the Northwest Territories Council. Mr. McKinnon was appointed by the civil service commission after an open competitive examination was held.

The VICE-CHAIRMAN: Mr. McKinnon, we would now be glad to hear from you.

### **J. W. McKinnon, inspector of schools, Northwest Territories called:**

The WITNESS: It gives me great pleasure in having the privilege to appear before this honourable committee. I believe, to begin with, I should apologize for not being here on time but the delay was absolutely unavoidable. I plan to discuss with you education in the Northwest Territories as I see it and I hope I will be able to assist you in some way to bring to the residents of the Northwest Territories a better type of education.

Mr. STIRLING: Mr. Chairman, may I interrupt a moment, would Mr. McKinnon be good enough to give us a little of his background.

The WITNESS: Yes, I will do so.

On June 24, 1946, I accepted the appointment as inspector of schools for the Northwest Territories. I had qualified for selection by graduating in arts from the University of Manitoba and in pedagogy from the University



of Toronto, in addition to which my teaching experience extended over a period of seventeen years and involved supervisory positions in two of the provinces. Moreover, I passed the qualifying examinations for appointment as an inspector of schools in the province of Ontario.

As outlined to me, my duties were to organize and administer an adequate educational system in the Northwest Territories within the limits of policy and regulations laid down by the governing body, to make inspections of the schools, to see that all requirements of the school laws and regulations are complied with and to perform other related duties. I am employed by the Bureau of Northwest Territories and Yukon Affairs, but, by agreement with the Indians Affairs branch, I supervise the education of Indian children within the Territories.

Subsequently I left Ottawa on August 5 to visit the schools in the Mackenzie district, and spent from August 10 to October 9 in this area, surveying educational needs and inspecting available facilities. I travelled as far north as Aklavik, inspected the operations of each school, visited the residents in their homes and places of work, talked with settlement leaders, and everywhere endeavoured to obtain a true picture of the effectiveness of existing institutions and methods, together with the needed improvements and reforms.

The matter of education in the Northwest Territories has particular problems which arise from the fact that it must serve white, Eskimo, Indian and half-breed children. At practically every settlement throughout the Mackenzie district one finds an assortment of these children, bringing with it difficulties of adjustment and segregation which must be met and solved.

The Indian children of the Territories constitute a special problem which does not occur in any other part of Canada. This is for the reason that they do not live on reserves. Their parents in many instances live a nomadic type of life and are at a mere subsistence level of existence, and special measures, such as compulsory attendance, apply to Indian children, but not to other school children who share the same classroom.

At the time of the 1941 census of Canada, there were 4,328 Indians residing in the Mackenzie district out of a total population of 8,042. In other words, more than half of the residents of this area in the Northwest Territories were Indians. The white population numbered 2,126 or less than half of the Indian population.

Present estimates of the current population range upwards from 9,000, which means that the Indian population of the Mackenzie district at the present time numbers approximately 5,000.

Educational facilities are available to Indians at six of the seven centres in the Mackenzie district where schools are at present located. Yellowknife is the only point at which they are not in attendance. Plans now going forward will make attendance at school possible for Indians at seven additional points where schools are to be opened shortly.

The present school enrolment in the Mackenzie district is 748, of which 223 are Indian children. Since the potential Indian enrolment is approximately 1,000 children, it will be seen that the schools are reaching only a small proportion of the actual number of school-age Indian children.

These Indian children come from dwellings that are typically either log shacks or rectangular cloth tents. From Fort Smith to Aklavik, I found that invariably the condition of these homes depended upon the schooling of the inhabitants. In areas where the Indians had attended school and could speak English, it was clearly evident in the maintenance of the home. On the other hand, conditions among Indians who did not have access to school facilities left much to be desired. It is to be noted that those Indians who are existing

in a degenerate state are anxious for improved educational opportunities for their children. The type of education desired by the Indians is one that will fit them for practical living.

With the exception of the Yellowknife public school, the non-sectarian school at Fort Smith and the Macpherson Indian day school, all educational facilities in the Mackenzie district are managed by the Anglican and Roman Catholic denominations. The government contributed substantially to the erection of some schools, assists in the maintenance of the school plant, pays an annual grant per pupil, and furnishes necessary supplies and equipment. The teachers, a number of whom are members of religious orders, hold professional certificates of varying standards obtained from the provinces. The curriculum has been largely a matter for the discretion of the individual teacher, the most common practice being to follow that prepared for use in the schools of the province of Alberta and adapted to local conditions.

As I travelled from school to school throughout the Mackenzie district, probably the most striking impression I received was the lack of adequate classroom equipment and supplies. Everywhere the teachers were endeavouring to struggle along with antique readers, scarcely any library books, few reference books, maps or charts and very little in the way of essential classrooms supplies. It is doubtful whether any of the rural schools in the provinces are suffering more acutely in this respect. Geographical and science equipment is lacking and the few teaching aids are in the main the personal property of the teacher. Sport and athletic equipment of all kinds is lacking in the schools. This aspect of school life is particularly important for Indian children, because sports encourage them to overcome any feeling of inferiority and to develop initiative and leadership.

After my return from the Territories, I submitted to the bureau of Northwest Territories a comprehensive report which incorporated a number of suggestions for improvement with respect to educational organization and administration. The Northwest Territories' Council passed upon these suggestions and granted approval for the implementation of a number of them. I recommended that the improvement of the status of the Indian, though primarily an economic problem, is equally dependent upon the opening of additional schools, and I am happy to state that steps have already been taken toward the attainment of this objective.

Ultimately we must have our own curriculum for the schools in the Northwest Territories. Since this area has problems that are particularly its own, we cannot meet the educational needs of its residents by adhering to curricula prepared for entirely different localities and transplanted there. So far as the Indian children are concerned, they must be educated for better living, taught how to save money, how to follow clean health habits, how to make better homes, and how to secure their livelihood other than by fishing and hunting. The aim must be to make the Indian self-supporting with an adequate standard of living.

With respect to school equipment and supplies, approval has been given to a recommendation that the government make an annual grant to every school in the Mackenzie district based on the pupilage, the said grant being computed as the minimum expenditure necessary to provide the essential classroom equipment and supplies for each child.

Recommendations have also been made for establishing minimum professional standards for teachers and introducing an adequate salary scale designed to secure the best type of teacher. In this respect it may be pointed out that salaries for teachers in the Northwest Territories come considerably short of \$1,938, which was the average salary paid in 1942 to teachers in the territory



of Alaska. There, 298 teachers were taking care of an average daily attendance of 5,526 pupils, an average of 18.5 pupils per teacher. In the Mackenzie district of the Northwest Territories we have twenty teachers responsible for an enrolment of 748 pupils, or an average of 37.4 pupils per teacher. Not only is the American government making available to the children of Alaska more better-paid teachers than we are doing in the Territories, but has emphasized the factor of supervision and has a liberal staff of school inspectors employed in the territory of Alaska.

Many Indian children are skilled in the manual arts and would profit by some form of vocational training. To date it has not been possible for the schools in the Mackenzie district to make provision for any appreciable amount of this type of training. Depending upon the availability of the necessary space for competent instruction, it may be possible in some of the residential schools to introduce classes in such subjects as carpentry, elementary machine-shop practice and motor mechanics for the boys. With this in view, an amount has been included in the educational budget to meet the cost of supplies and equipment necessary for whatever type of training may be found to be feasible in the various schools.

Special grants for the improvement of library facilities in every classroom have also been included in the educational budget.

A measure has recently been approved whereby the administration offers to contribute one-half of the cost of any audio-visual educational equipment desired by any school in the Territories. Since Indian children are particularly attracted by films and because the art of film production has made them practically invaluable teaching aids, the eventual establishment of a film library and the inception of a full program of audio-visual education is contemplated.

The fact that educational broadcasts have utility and appeal is by now well established. Consequently, the bureau of Northwest Territories has approved a recommendation whereby a radio receiving set will be purchased for every classroom, and it is hoped that before many months elapse a schedule of educational broadcasts will be a part of the new program designed to improve educational facilities in the Northwest Territories.

Education in all progressive societies must be in a constant state of reconstruction. The recommendations that I have made to the administration have been formulated in the light of an existing situation and represent a modest program for the improvement of education in the Northwest Territories. Provided that adequate support is forthcoming, they will do much toward fitting all the children to be participants in the concrete changing social experience which is going on about them and of which their own lives form an integral part.

That completes my brief, gentlemen. If there are any questions—

The VICE-CHAIRMAN: I think our criticism is that Mr. McKinnon's interesting brief is far too short. I suggest we had better follow our clock system around the table.

Mr. HOEY: Mr. Chairman, just before you do that, may I say that, I noticed that Mr. McKinnon referred to the fact that there were no Indian children attending at Yellowknife. We have recently—I say we, I mean the Northwest Territories Council—made a special grant of \$150,000, if I remember correctly, for the establishment of a school of opportunity. I was wondering if it would be possible to have Indians from other centres in the area attend that school of opportunity. Incidentally, I think that is a great name for a school of that type, a vocational school. Have you given that any thought?

The WITNESS: Yes, I have. As you know, the Indians live nomadic lives during the greater part of the year and that makes it difficult for them to have their children in school. Where the Indian children do mix with the white



children in schools I am informed that they do very well. I see no reason why the Indian children should not mix with the white children, and when the period in their development is sufficiently advanced, take their place in the Yellowknife school. Of course, gentlemen, we must remember that it will be many years before that time will arrive because at the present time most of the children are in Grades I, II and III.

Hon. Mr. STIRLING: What do you mean by school of opportunity?

Mr. HOEY: Well, Mr. McKinnon will know more about that than I.

The WITNESS: Well, in connection with the school of opportunity at Yellowknife we intend to have dormitory facilities—

*By Hon. Mr. Stirling:*

Q. Do you mean by that that it will be residential?—A. There will have to be separate dormitories or some kind of accommodation provided for the children from outside. One view that has been expressed is that the Indian children be taken into white homes, while attending the Yellowknife school. If we find that this is not feasible then we will have to make other provision for them.

Q. In what grades would these children start?—A. The school starts at Grade I and goes up to Grade XIII. There will be various types of training including mechanics, domestic science, carpentry and so forth. It will embody vocational and technical training as well as the academic.

Q. Will that start in the higher grades?—A. It will start, I suppose, around Grade IV with crafts, and so forth.

*By Mr. Bryce:*

Q. I always had the idea that up there these Indians never stayed very long in the one district; that they keep moving around all the time; how are you going to give them an education?—A. That is quite true, gentlemen. The Northwest Territories is a very large place consisting of 9·4 per cent of the British Empire and about two-fifths of the Dominion of Canada. The Mackenzie district alone comprises over half a million square miles. The Indian and the Eskimo people are nomadic and they travel about. By going back into the history of the Northwest Territories we learn that for many years the Indian and the Eskimo have tied themselves more or less to certain central points on perhaps a lake shore or river bank, and that they attend these posts for the summer months. They are there for certain periods of time. It is during such intervals that education could be given to them. Also, this is one of the reasons for establishing residential schools in the Northwest Territories.

Q. You read your brief too quickly for a slow-thinking man like myself to be able to assimilate it, but up to the present time what has education done for the Indian up there? Can you see any results?—A. Well, gentlemen, I believe the crux of the development of the Northwest Territories is based on education. They need an opportunity for the type of education that will assist them in adapting themselves to modern conditions. I have had the opportunity of visiting tents along the Mackenzie as far as Aklavik, which is about sixty miles from the Arctic ocean, and I have found invariably that the condition of the home relates directly to the education of its inhabitants. While I was at Fort Rae I visited the homes of the Indians in company with the Catholic priest. We discovered that the conditions of the homes depended invariably upon the education of the inhabitants.

Q. You would say that education improves the home?—A. Education improves the home, definitely. I noticed at Aklavik where the school has been in operation for half a century that the homes were much superior to those at Fort Rae and other centres.

Q. I was not able to get all the figures you gave. You talked too rapidly, but am I safe in assuming there are a lot of Indian children getting no education?—A. Yes, that is quite true.

Q. Is that because of the lack of schools or what is the reason they are not getting it?—A. I think we have reached the time where science and modern development is pushing into the north. Education is in a period of transition—I am talking only of the Mackenzie district—education there will have to receive more emphasis.

Q. Have you any difficulty getting teachers to go there and teach?—A. I was looking over the files the other day. Since the beginning of the year we have had about two dozen applications for teaching positions in the Northwest Territories. In practically every settlement there is some one who has a teaching certificate and who is willing to take over the school.

Q. It would be more because of a lack of schools than anything else, a lack of a building program?—A. Yes. We are contemplating entering on a building program at the present time. In fact, at the present time we have under consideration the opening of schools at seven points, and we hope to have them in operation in the near future.

Q. How many schools have you built up to the present time?—A. The government has assisted in erecting some residential schools, and we have one departmentally operated school under the Indian Affairs Branch at Fort McPherson.

Q. Are you satisfied that with further education for the Indian it will help him to help himself, because that is really the purpose of this committee, to find ways and means for the Indian to help himself and improve his lot.—A. I inspected the homes of the natives from Fort Smith to Aklavik and found that the condition of their homes depended invariably upon their education. At Fort Simpson, where the Roman Catholic day school has been teaching gardening, the teacher in charge informed me that over half of the Indians have gardens of their own.

Q. I am very pleased to hear that.—A. Also from the health point of view I might add that education would pay big dividends in the Northwest Territories.

*By Mr. Gariépy:*

Q. Did I understand you to say that at Sault Ste. Marie the whites and the Indians mix in the schools?—A. That is correct.

Q. What grade would that be?—A. I could not tell you the grade, but Dr. Alderwood discussed that with me. I understood from what he said that there were Indian children in the high school grades.

Q. How many pupils in each group?—A. I could not tell you anything further.

Q. How did you travel throughout the Mackenzie district?—A. By airplane.

Q. Is there any means of rapid transportation of materials?—A. Yes, by airplane, and also there are many boats that go up and down the river. Many of the natives have boats worth thousands of dollars.

Q. So there would be no trouble in sending supplies from time to time to different points in the Mackenzie district?—A. At certain periods of the year it is difficult to get supplies. It is a large country, and getting supplies in at the right time is an important factor. That is one of the special problems of the Northwest Territories.

Q. Roughly speaking how many schools are there throughout the district now?—A. In the Mackenzie district we have schools at seven points. I would say about a dozen.

Q. And according to your survey how many more schools should be established within the near future?—A. I think the schools they contemplate opening after the summer holidays or as soon as possible will provide for the immediate needs, and as time advances schools will be opened at several points after special local surveys have been made. I think it is very important that we do not go too fast, but that what we do build be on a firm foundation; we should not take education to natives where it might do them harm.

Q. In a nutshell what would be your recommendation as to what should be done in the near future to improve education there?—A. I think I outlined that fairly well in my remarks, the opening of more schools, the engaging of teachers with special training, the putting in of radio broadcasts, better equipment, the encouraging of physical education, the providing of an adequate staff and office, and so forth, and in that way attending to the physical and mental health of the children as far as possible.

Q. Did you find any objection or resistance on the part of the parents to education, or to adopting the white man's ways of living?—A. No, sir.

Q. Not at all?—A. There is objection on behalf of natives in the Northwest Territories that education is not practical enough. In other words, they desire education for practical living, the type of education that will fit into their environment, so that they will be able to adjust to the situations that surround them. In other words, to transplant the curriculum of one of the provinces and force that upon them would not work. It has to be adapted to their environment.

Q. Was that view expressed by the Eskimos and Indians themselves?—A. Yes.

*By Hon. Mrs. Fallis:*

Q. You spoke of the difficulty encountered in some districts because only the Indian children were under compulsory school attendance. I am wondering what is involved there.—A. We must remember in the Northwest Territories the situation is different than anywhere else in Canada. In some instances we have in the same classroom Indians, Eskimos, half-breeds and whites.

Q. Is there no compulsory attendance for the others?—A. Compulsory attendance for the Eskimos, half-breeds and whites that has not been enforced. Provision for it is in our ordinances, and at the present time they are under revision.

Q. Can you give us the reason why white children should not be compelled to attend as well as Indians?—A. I think we all agree they should, but we must remember in the various posts throughout the Northwest Territories there are perhaps only two or three white children who reside in the fort and in many instances the white parents send their children out. They are sending them as far as Vancouver.

Q. That is what I was trying to get at. I wondered if there is some reason. Speaking about teachers are there any of the teachers who come from the Indian race or are they all white teachers?—A. No, there are none.

Q. Is there no movement or desire on the part of the Indians themselves to go through and come back to teach in those schools?—A. We believe that period of their advancement will arrive in the future.

Q. I know when I visited the reserves in my own district I found some schools where they were employing Indian teachers who had completed their education and had come back and were making quite a success of it. I was wondering if you had any in the Northwest Territories, but there are none doing that?—A. No, we have none.

Q. Since this committee was set up there has been quite a difference of opinion among the witnesses who have come before us as to the advisability of denominational schools. I am speaking of day schools only. There have



been requests from a great many that the schools should be taken away from any religious denomination and placed directly under government supervision. Would you care to comment on that?—A. The only observation that I would make on that is that I feel that there should be a greater measure of supervision of the school curriculum and the time tables. In some schools perhaps there should be a little less emphasis on religious instruction during school hours. An examination of some of the time tables indicates this.

Q. It has been my own personal impression from listening to witnesses and reading different evidence that there has been more education available to the Indians because the churches did take an interest?—A. Definitely.

Q. Than would have been the case if they had not?—A. Yes. I have some pictures here which I will pass around. I might say that other schools in the district are doing work similar to what is shown in these pictures. They show some of the activities, and on the back it tells what is indicated in each.

Q. Would your recommendation be, then, that we should not press for the removal of schools from denominational assistance or control, but that the government should have more control so far as the curriculum and teaching are concerned?—A. I feel that the churches have done a wonderful work in the north. They have a devotion and zeal for their work which might be quite difficult to obtain in the average lay teacher.

Q. Is it not true there are a great many people who teach Indians in all parts of Canada who would never do so if they were not inspired by a missionary zeal, as it were?—A. Yes, quite so.

Q. They go for some reason other than the salary they receive?—A. They are receiving no financial remuneration at all in many schools. I suppose the average salary would approximate perhaps \$500 a year.

Q. There is some other motive which is sending them there to teach?—A. Yes, especially in many isolated areas of the Northwest Territories.

Q. And the children reap the benefit of that?—A. Yes.

*By Mr. Raymond:*

Q. You said you were suggesting teachers should have a better training. Would you care to comment on what you mean by, "better training"?—A. Yes. The pictures which are being sent around indicate the work which is being done by teachers in the Northwest Territories. Teachers must be specially trained for the work in the schools of the Northwest Territories. It is a good policy to have teachers who can speak some of the Indian or Eskimo language depending upon the need for same. They should have special training in art, English, manual training, as well as various crafts. I should like to see a little more emphasis on vocational training in the future. I think that is something which has been neglected to a certain extent.

Q. And to have some knowledge, perhaps, of nursing?—A. Yes.

Q. In comparison to the number of children who are of age to attend school, what would you say the percentage is of those children who attend school?—A. What percentage, do you mean, of the Indian children?

Q. Yes, the Indian children who are of age to attend school?—A. I would say, perhaps one fifth. That is only a guess, it is not an authentic figure.

The CHAIRMAN: Do you include Indian and Eskimo children, Mr. Raymond?

Mr. RAYMOND: Yes.

The WITNESS: That figure applies only to Indian children.

The CHAIRMAN: Mr. Farquhar, you came in late, so I will tell you the submission this morning was made by Mr. McKinnon, Inspector of Schools,

for the Northwest Territories. It was a very interesting submission, but you will perhaps catch the purport of it from the questions a little easier by having that information.

*By Hon. Mr. Stirling:*

Q. The statement you made, Mr. McKinnon, did it apply to the Mackenzie River District of the Northwest Territories?—A. Yes.

Q. That is but a quarter or something of that sort of the whole Northwest Territories, is it not?—A. Yes, it would be about one-third of the area.

Q. Have you any information with regard to the Nomadic people?—A. There are no Indians in the eastern arctic.

Q. So your district or area covers the portion in which there are Indians?—A. Yes. It also takes in the remainder of the Northwest Territories.

Q. As mining developments go forward, do the Indians tend to flock to them to obtain work?—A. At the present time, that problem is under consideration and it is hoped more Indians will decide to take a part in mining work and prospecting in the north.

Q. Perhaps the largest one, I suppose numerically at least, is Yellowknife. Have the Indians drifted towards Yellowknife, settled there, and consequently come into the need of education?—A. Not to any extent.

Q. The Indians to which you refer, I take it, are largely along the valley of the river?—A. Yes, and along Great Bear and Great Slave Lakes.

Q. Then, east of that again, there are the reserves into which the reindeer are herded. Are there not a considerable number of Indians employed there as herdsmen?—A. I could not tell you.

Q. Throughout that area there must be Indian families, families of a nomadic nature, to whom the bringing of education would present a graver difficulty?—A. Yes, the Eskimos are over in that area, around Port Brabant.

Q. Eskimos rather than Indians?—A. And at the present time the opening of a school at Port Brabant is contemplated.

Q. Those schools to which you referred are in no case Indian schools. They are schools to which Eskimos, Indians and others go?—A. There are Indian day schools, attended by these.

Q. You are referring to them and not to other schools to which Eskimos and others go?—A. Well, you see, we have Indian day schools in the Northwest Territories, residential schools operated by the denominations as well as the departmentally operated Indian day school at Fort McPherson, the non-sectarian school at Fort Smith and the public school at Yellowknife.

Q. So, your inspectorate covers schools other than Indian schools?—A. Yes, sir.

Q. I suppose the great difficulty is to devise a policy which will bring education to those who are not definitely in a settlement, who are either of a nomadic nature or are scattered. To enable their children to go to school you will have to have something in the nature of residential schools?—A. Yes.

*By Mr. Richard:*

Q. I probably did not grasp your statement of your duties very well, but, first, let me ask you, are all denominational schools residential schools only?—A. No, sir, some are day schools.

Q. Your duties consist of supervising these denominational schools as well as the public schools?—A. Yes.

Q. Have you anything to say about the curriculum of the denominational schools?—A. At the present time a good deal of advice has been asked in connection with the curriculum and the teachers with whom I spoke—I believed everyone in the Northwest Territories—were very anxious to have a special curriculum for that area.



Q. The teachers have none now, they teach whatever they wish to teach?—  
A. The problem is not as difficult as it may appear on the surface. You must remember the native children in the Northwest Territory who attend school are in mostly the elementary grades. And in grades 1, 2 and 3 the prime objective is teaching reading, elementary mathematics, hygienic rules of living, expression and so forth.

Q. You do feel, probably there is too much time spent in teaching religion?—  
A. My own opinion on that, I do not wish to express. According to the time table, perhaps there is a little too much in some of the schools.

Q. Have you discussed that phase of it with the leaders of the churches conducting the schools?—A. No, sir.

Q. Do you not think it would be advisable to discuss it if you are going to try to readjust the curriculum?—A. Well, the whole organization of education in the Northwest Territories at the present time is under consideration. Just what policy will be followed is something which rests with higher authorities than myself.

Q. Some of these churches have been in that field, as someone has expressed it, as pioneers with humanitarian motives for a number of years, perhaps fifty years, you said?—A. Yes, sir.

Q. Do you not think it would be rather a bit of irony, after they have done so much work, gratuitously most of the time, for us who have neglected the problem so long to now tell them they have taught too much religion?—A. Yes, I think we all agree—

Q. I think we should have approached the church authorities to see what would suit them as a curriculum?—A. Yes, I think some definite policy will ultimately be formulated. We all realize religion is a very important part of the education of the child.

Q. Especially the Indian, with his way of life, he must be taught that?—  
A. It is the actual classroom period I am talking about. There may be too much religion in the time table. The amount of time spent on it after school hours is no concern of the school.

Q. I think you said there would be in that territory about 20 per cent of the children of school age who are receiving education, or who have schools available to them; is that what you said?—A. No, sir, I do not remember that.

Q. Did you say 20 per cent?—A. Yes.

Q. I suppose there are a great number to whom schools cannot be made available. They are so isolated it is practically impossible to give them education unless they go to residential schools?—A. Naturally, the residential school has a definite place in the Northwest Territories.

Q. How do the Indians themselves take it if you advise them to let their children attend residential schools? Are they in favour of that, of having their children taken away from them and placed in residential schools?—A. Yes, sir. Of course, I must qualify that statement. They feel there should be more residential schools. In other words, they do not approve of the idea of sending their children in some instances 700 miles or more to a residential school which has been the practice in the past. They feel there should be a school close to home. For instance, at Fort Rae, we have a large number of children. Their parents go out trapping within an area of 200 miles from the fort, and they come back to the fort at various times during the year. The Indian says: "We love our children the same as the whites and therefore we feel we should have educational facilities close to home."

Q. What medical inspection, is given to children who attend residential schools? What inspection is made before they are admitted to those schools?—  
A. You must remember that all residential schools have hospital facilities either very close or attached thereto and the children are under very strict supervision in this respect.



Q. I have heard this complaint, probably not from that particular section, but some of the Indians feel, and I will use the expression "sore", because some of their children went away healthy to attend a residential school and they came back having been in contact with tuberculosis and had developed that disease. The Indian parents felt the white man was to blame. That would be an awful thing if it is true and it would discourage Indians from sending their children to schools?—A. I do not feel qualified to discuss that but I do know, however, from experience, of instances when children who are suffering from tuberculosis are isolated from the rest of the pupils.

Q. Probably if they had a proper medical inspection before they began at the schools it would be all right. It would be an awful thing if you brought children together from different districts and some of them came into the schools quite healthy, and, coming into contact with others with the disease, developed tuberculosis. That would certainly discourage the parents of Indians from sending their children to residential schools?—A. Yes; they are given a medical examination when they are taken into the school.

Mr. BRYCE: They would not take a child into the school who is not healthy.

Mr. RICHARD: They have done it and that is why parents complained. My information is the inspections take place sometimes six months after the admission to the schools.

*By Mr. Farquhar:*

Q. I did not hear Mr. McKinnon's opening remarks but do I understand you to say, Mr. McKinnon, that the Indians in your section prefer residential schools to day schools?—A. No, sir. I did not make that statement. Both types of schools have their place in the Northwest Territories. Where there are enough children residing in the fort the year round you have an ideal situation for a day school. Where the parents have to go out and earn a living by trapping and hunting there is definitely a place for the residential school. You must remember in the Northwest Territories they earn their livelihood by trapping and hunting in many instances.

Q. Those are the only reasons you can think of?—A. I know there are other reasons that enter into it but I cannot just think of any at the moment.

*By Mr. Charlton:*

Q. I did not get your statement exactly, Mr. McKinnon, but did you make a statement somewhat like this? You wanted to be careful and not educate when it might do some harm. Just what do you mean by that statement? I think you were referring probably to adult education but I do not know.—A. That statement actually would apply more to the education in the eastern Arctic or extremely isolated areas rather than in the Mackenzie district. In the Mackenzie district the residents are becoming assimilated but in the eastern Arctic that is not the case to the same extent.

Q. You mean by bringing them together you might cause dissension among the different groups, the Eskimo and the Indian?—A. Well, there are instances on record where the native child has left home and gone into the white man's school and given a purely academic education and has lost contact with his own language. When he returned to his own environment he was unable to cope with the situation there.

Q. He would be more or less an outcast when he came back?—A. During the time he was away in school he has forgotten, according to some authorities, how to trap and hunt and he is not able to assume his place in his own society.

Q. You intimated there was one school in the district operated by the government? I presume that was undenominational?—A. Yes, sir.

Q. Well is it proving satisfactory or how does it compare with the others?—

A. In the *Moccasin Telegraph* there was an article just recently written by the Reverend Dewdney discussing the school at McPherson. It is an Indian day school. It is nominally operated by the Indian Affairs branch. The view expressed was that everyone in the settlement was very happy with the school and the children were learning a great deal, they felt it was doing a great deal for the community.

Q. You may not want to answer my next question but what is your own personal opinion of this school at McPherson when comparing it with the denominational schools in the district?—A. Well I am not in a position to express a view on that, because the McPherson day school was closed at the time I visited it. I only saw the school, met the teacher and some of the residents of the fort. I am not in a position to answer the question.

Q. Then this school at McPherson is not a residential school?—A. No, it is a day school.

Mr. BRYCE: With regard to your last question, did you visit when the schools were all closed?

The WITNESS: At Aklavik not all the children were in attendance.

Mr. BRYCE: You went when the schools were in operation?

The WITNESS: Yes, all the other schools were functioning except McPherson.

*By Mr. Gibson:*

Q. Mr. McKinnon, in your discussions with the school principals up there, did any of them indicate that they were having difficulty managing their financial affairs on the present grants which were available to them?—A. Yes, sir, they were running at a deficit. Some of the schools were running at a deficit of \$5,000 or more per year.

Q. I presume that would be one of the excuses that they would give you in cases where teachers do not come up to the standard you thought probably should be maintained? They possibly were not able to compete on the teacher market as it were?—A. No, sir; but my own personal opinion is that they have been doing a very good job with what they have.

Q. Did you feel that the teachers were up to standard, not necessarily standard, but up to the requirements you felt were necessary?—A. Well there are varying grades of standings among the teachers of the various schools. Every teacher that I spoke to indicated a desire to take special training. In fact the teachers were thirsting for knowledge and were in every way willing to better their training so that they would be able to give their best to the schools.

*By Mr. Harkness:*

Q. Are there any facilities in the north country for anything in the line of what you might call technical education or are the institutions on the straight three-hour basis?—A. At the present time, the Northwest Territories administration has granted an appropriation of \$150,000 to set up a school of opportunity at Yellowknife. It is planned that children from all over the Territories will be taken in and given an opportunity for advance education when they have reached that particular stage in their development.

Q. But up to date there has not been anything along that line?—A. Very little of what we usually classify as vocational training.

The VICE-CHAIRMAN: We are sorry Mr. Blackmore, that you were called away, but if you have any questions we would like you to put them.

Mr. BACKMORE: Well I would be very glad to do so but I would like to wait a few minutes and see what is taking place.

*By Mr. Lickers:*

Q. You are employed by the Northwest Territories Council?—A. Yes, sir.

Q. And your recommendations were made to the council respecting the school question?—A. Yes, I discussed my findings in the Northwest Territories at a council meeting and made recommendations for an extended educational program.

Q. Are the seven day schools which you are opening being established by the Northwest Territories Council?—A. Not all of them. In the main they are being established by the Northwest Council and the Indians Affairs branch.

Q. But the Northwest Territories Council as far as it is concerned, is going to look after their own schools?—A. Yes, sir.

Q. In the plan that you have evolved with the recommendations that you have made, do you take into account the needs for the Indian as well?—A. Yes, sir.

Q. Do any Indians live on reserves, that is up in the Mackenzie district?—A. No, sir.

Q. So that as far as the population is concerned there is no segregation as between the four categories you gave us; that is to say the Indians, the half-breeds, the Eskimos and the Whites? There is no segregation between those four groups?—A. No, in some centres there is no segregation. In centres like Yellowknife they are all white, and half-breed children attending the schools and at Port Radium they will be white children.

Q. If there were any Indians there they would attend that school as well?—A. Yes, if there were any.

Q. Is there any question as to the division of authority as far as education is concerned between the Northwest Territories Council and the Department of Indian Affairs?—A. According to the Indian Act, the Indian Affairs branch is responsible for the education of the Indian and according to the school ordinances of the Northwest Territories, the Northwest Territory administration is responsible for the supervision of education in the Territories.

Q. In that ordinance do they assume as well that they have supervision of education of Indians?—A. No sir.

Q. Do you not think it would be best for the administration of education to have it all under one jurisdiction? Either under the Northwest Territories or under the Indian department?—A. As far as the actual supervision is concerned, I would say yes.

Q. And what about the financial end of it?

Mr. HOEY: If I might clear up that point, Mr. Lickers. It would be exceedingly difficult. As a community such as Yellowknife becomes more developed and more self-supporting, then it becomes incumbent upon the Northwest Territories Council to decide what support, if any, will be granted for the establishment, operation, and maintenance of schools. It has never come up in the council in this form but I feel it is not the stand of the Northwest Council that they will at any time provide a free education for the white residents of the Territory. The council will take the stand that any other provincial government will take, that they will make grants to assist. On the other hand the Indian Affairs branch is definitely responsible for the education of Indians so you would have a conflict of interests there between the two.

Mr. LICKERS: That is just what I am getting at; in view of that conflict, and inasmuch as it will be coming to the fore more and more; as you get into education you are going to run across that same problem of segregation which we are trying to get away from.

Mr. HOEY: I don't think so.



The WITNESS: We have a financial policy at the present time which seems to be working out satisfactorily where the Indian Affairs branch provides for the Indian and the Northwest Territories provides for the education of the Eskimos, half-breeds and indigent whites; but the actual supervision and so forth is co-ordinated in the department.

Mr. LICKERS: Don't you think it would be a good policy for the Northwest Territories Council and the Indian Affairs branch to arrive at some method by which there would be a community of contribution but that in so far as regulation and supervision are concerned it would be entirely under one jurisdiction, so that you would in that way get away from this idea of segregation completely?

Mr. HOEY: I think that would require legislation.

*By Mr. Lickers:*

Q. Even if it did require legislation, don't you think it would be a good idea?—A. I think they are working in that direction at the present time.

Q. Your set-up in the Northwest Territories would be given jurisdiction in the Northwest Territories; regardless of where the funds came from the work would be under a co-ordinated jurisdiction; do you not think that would be a good idea?—A. I do not think that I am in a position to express a view on that particular phase of it now. The ramifications are great. But I think so.

Hon. Mrs. FALLIS: Mr. Lickers, might I ask you a question. Have you considered that there is a different position there in the Northwest Territories, that the Northwest Territories' Council is somewhat different from provincial jurisdiction?

Mr. LICKERS: Yes.

Hon. Mrs. FALLIS: Because the Indians are not on the reserves, because they are not segregated.

Mr. LICKERS: Yes. For the simple reason that they are not segregated. I am trying to avoid having that happen, to avoid running into the sort of situation that we have found at other places.

*By Mr. Farquhar:*

Q. Mr. Chairman, this may have been explained before I came into the committee, but you spoke of the Northwest Territories' Council; are representatives of all the bands on this council?—A. That is the territorial council for the area.

Q. It takes in the entire territory?—A. Yes, sir.

Q. How do they get together?—A. Mr. Hoey would be in a position to answer that question.

Mr. HOEY: They are appointed by the Governor in Council. The Deputy Minister of Mines and Resources is also a commissioner for the Northwest Territories.

Mr. FARQUHAR: And it includes representation from all the various bands?

Mr. HOEY: The Indians are not on it at all.

Mr. FARQUHAR: That is what I wanted to know.

Mr. HOEY: No.

Mr. FARQUHAR: The representatives of the bands are from the different reserves?

Mr. HOEY: The Northwest Territories' Council is a body that governs the Northwest Territories in the absence of membership in this house.

Mr. FARQUHAR: Yes, I understand all that, I thought you were referring to an organization that included all the reserves in the Northwest Territories.

Mr. HOEY: Oh, no.

Mr. RICHARD: Are there different bands of Indians in that area?

The WITNESS: Yes, they have their chiefs.

Mr. BRYCE: Might I ask Mr. Hoey if he would explain the set-up as between the Northwest Territories' Council and the Indian Affairs branch? Is there a dual responsibility there between the Northwest Territories and the Indian department?

Mr. HOEY: Just the same as in the province of Manitoba the provincial government is responsible for the education of children of school age in the province and we are responsible for the education of Indians in Manitoba. It is exactly the same.

Mr. BRYCE: You are responsible for the education of the Indians of the Northwest Territories?

Mr. HOEY: Yes.

Mr. BRYCE: What does this other fellow do; is he responsible for their education, who is responsible for their welfare; would it be the Commissioner for the Northwest Territories?

Mr. HOEY: No, he has nothing to do with the Indians any more than the provincial government of Manitoba has anything to do with the Indians.

Mr. HARKNESS: There is probably closer connection due to the fact that your branch and the council of the Northwest Territories are both in the Department of Mines and Resources.

Mr. HOEY: That is right.

Mr. GIBSON: Do you make advances to schools in Yellowknife for the education of the children in the schools there?

Mr. HOEY: We would, Mr. Gibson; but so far as I am aware we haven't had any Indians in attendance; but if there were we would make a regular per capita grant for the operation and instruction of the Indians.

*By Mr. Gibson:*

Q. Have you separate day schools for Indian children at the town of Yellowknife?—A. No, we have a public school at Yellowknife. It is in a local administrative district unit.

Q. Are there no Indian children in the schools at Yellowknife?—A. No.

Mr. BRYCE: Mr. Chairman, perhaps I am a little thick; but you, Mr. Hoey, are responsible for the education of the Indians and the other fellow in the Northwest Territories sends the inspector out to do your work.

Mr. HOEY: I explained at the outset, Mr. Bryce, that a few years ago an educational survey was undertaken in the Northwest Territories by Doctor Andrew Moore working under the direction of a research council the name of which I never seem to get through my head—it doesn't really matter what it was. That was the first educational survey that had been undertaken in the Territories at any time so far as I am aware. He undertook a survey of the educational facilities provided for the white population, the Eskimo population and for the Indian population, and made certain recommendations. By the way, Mr. Chairman, I think it might be well that a copy of Dr. Moore's report be given to the members of this committee. One of those recommendations was that immediate steps be taken to appoint an inspector supervisor of schools in the Northwest Territories and that recommendation along with a number of others was adopted by the Northwest Territories' Council. Let's forget Indian affairs for the moment. I happen, as Director of Indian Affairs, to be a member of the Northwest Territories' Council, but we can forget that for the moment

also. Now, since Mr. McKinnon was appointed by open competition held by the Civil Service Commission we entered into an agreement with him in view of the fact that we have had no inspection of schools up there whereby he would inspect our schools and report to us just the same as we have an agreement with the department of education in Manitoba whereby they inspect the Indian schools of the province of Manitoba.

Mr. BRYCE: That is clear to me now. Does this commissioner make reports to you on the Indian schools?

Mr. HOEY: Yes, Mr. McKinnon has made reports direct to us, to Colonel Neary, the superintendent of welfare and training, or to the branch. They are in very close touch.

Mr. BRYCE: Is there any report published which the committee could read?

Mr. HOEY: Of course, Mr. McKinnon's report, if he has made any, would be available at any time by order of the House.

Mr. FARQUHAR: Do I understand you to say that the provinces are responsible for the education of the Indian?

Mr. HOEY: No, I said no province was responsible, but that by agreement with the provinces, with the exception of British Columbia, they inspect our schools. We defray the cost. We do not have our inspectors with the single exception of the province of British Columbia where we have our own school inspectors.

Mr. CASE: Mr. Chairman, might I ask Mr. Hoey this. Can you say now that you have contacted all the Indians in Canada, wherever they may be, organized or not? Has your department contacted them in groups, or whatever way they are constituted; I mean the bands in Canada?

Mr. HOEY: I would say yes, Mr. Case; but in order to be fair about the matter I would say that some of these—

Mr. CASE: I am including the Eskimos too.

Mr. HOEY: I would not speak for the Eskimo, but the Indian Affairs branch maintains contact with all Indians. That contact, of course, at times is intermittent. You heard the other day from the Saskatchewan delegation of the Indians at Pelican Narrows in that province where the band only saw the Indian agent about once a year; but that is contact. It is not all we desire.

Mr. CASE: My point is this, though, you know where they are located?

Mr. HOEY: Yes, and we have a complete census. We have been congratulated upon the completeness of that census giving the population and the agencies.

Mr. GIBSON: Would the use of aircraft be of any assistance in visiting the agencies, or has it been found by the department that that mode of travel is too expensive?

Mr. HOEY: That is a matter which is constantly under review and one which requires a good deal of study, particularly since the medical services were detached from our branch. You can't very well have a small plane taking the Indian agent around and another one taking the doctor around or both taking the agent around or both taking the doctor around. That is an exceedingly difficult administrative problem.

Mr. GIBSON: That is one more reason why the two departments should be merged.

Mr. HOEY: It was difficult before, but is has become increasingly difficult since.

Mr. BLACKMORE: Mr. Chairman, have you finished with Mr. McKinnon?



The VICE-CHAIRMAN: I think Mr. Lickers has more questions he would like to ask.

*By Mr. Lickers:*

Q. Are these schools which are being built in the Northwest Territories, to be non-denominational schools?—A. I could not tell you, sir, just what policy is going to be followed. At the present time the question of education is on the agenda for discussion before the Northwest Territories' Council and will be gone into at that time. It is there where the policy will be formed.

Q. Have you heard any expressions of opinion as to what they want?—A. Certain parts of the Northwest Territories desire non-denominational schools, and in certain sections they prefer denominational. I have in mind one place in particular where I understand they desire a denominational school.

Q. What about the school that is going to be built by the Northwest Territories Council itself?—A. I am not in a position to express any opinion on that because the policy will be laid down by the council itself.

Q. They have not laid down any policy as yet?—A. No, sir.

Mr. GIBSON: Will they be entirely white schools if they are operated by the territories' council?

The WITNESS: Whites, half-breeds and Eskimos.

The VICE-CHAIRMAN: You made a suggestion, Mr. Hoey, about a copy of Dr. Moore's report being handed to each member of the committee; if it is not too long would you suggest that it be printed as an appendix to to-day's report.

Mr. HOEY: I would like to have a look at it again to see just what is in it.

The VICE-CHAIRMAN: And you will let us know later?

Mr. HOEY: Yes.

Mr. BLACKMORE: I would like to draw to the attention of the committee a matter which I believe will require some consideration by members of this committee. Senator Fallis drew the attention of members of the committee to an editorial which appeared recently in the press. That brought to a focal point something which has been in my mind for some time. We as members of the committee have been together for a long time now and have considered detailed Indian reports sufficiently to have enabled us to make up our minds on some general aspects of the situation. One of these I think is that much needs to be done for the Indians in the discharge of our responsibilities toward them. What do you think should be done about this matter before we reach the end of the present session? I thought it would be advisable to move the following resolution for the committee to consider, copies of which I have had prepared for the various members of the committee.

Whereas: The final report of this committee on the Indian Act is likely to be made not earlier than the close of the 1947 session of parliament and

Whereas: This committee has heard sufficient evidence to satisfy its members that Canadian Indians are in serious need of immediate assistance of several kinds, and

Whereas: Mr. Hoey has conveyed to this committee that his department, in order to discharge its responsibilities to the Indians under its charge, requires at least \$15,000,000 for the year 1947-48.

Therefore be it resolved that this Indian Act Committee submit within ten days an interim report to parliament recommending that the government consider the advisability of submitting to parliament for the Indian department an increase to, at least, \$15,000,000 in the estimates for 1947-48.

I might comment on it briefly. I think the members of the committee all through the discussion have had impressed upon them that Mr. Hoey and his department have been labouring under the simply insuperable handicap of too little money. As to many of the problems which have come before the members of the committee, when we have probed into them we have found they were the result of too little money, and an all-pervading anxiety on the part of departmental officials to economize. I do not think the Indian department personnel have had a chance to show the country or this committee what they could do if they were given what we call in the west a ghost of a chance. I think before we can tell to what extent the Indian Act needs to be revised; what we should recommend concerning the matter of treaty rights, and that of education. We ought to be able to see the administration, as it is at present constituted, with Mr. Hoey at the head and the fine personnel whose ability has been fairly clearly shown in their presentations before us, in unhampered action a year or two before we make our final recommendation.

I think the members of the committee have had impressed upon them the fact that for us to sit here listening to evidence, forming conclusions and making recommendations without knowing that much more money is to be forthcoming—and every recommendation that is going to be worth anything will cost money—is simply a waste of our own and the country's time. Therefore, Mr. Chairman, I submit to you and to the members of this committee this resolution.

MR. FARQUHAR: Has Mr. Hoey made a recommendation for that amount?

MR. BLACKMORE: I think Mr. Hoey did so in some of his remarks.

THE VICE-CHAIRMAN: Mr. Blackmore, if I sensed the feeling of the committee they were sympathetic to the suggestions raised by Senator Fallis in a general way. I say in a general way, but the two regular chairmen are not here with us today. I would suggest that as a matter of courtesy to them and to the steering committee—and I think Mr. Blackmore will be agreeable to this—that he withhold this resolution for a day or two until they are here. I do not think it would be the best thing to go ahead with it in their absence. You would agree with that?

MR. BLACKMORE: It might be quite all right to defer consideration of it. I have felt that in fairness to the committee probably there ought to be some notice beforehand that this matter is coming up. Consequently since there has been no notice, and since there are many other committees in session at the present time, perhaps this committee as a whole would not have had a fair chance to consider the resolution, but I would not desire to withdraw it. I should like to place it on the records of this committee as a matter to be dealt with at the next meeting of the committee.

THE VICE-CHAIRMAN: That is what I had in mind.

MR. CASE: If I may say one word with respect to the resolution I think most of us would take a very sympathetic view, but it is quite all inclusive, embracing an amount of \$15,000,000. There is not a very large group of us here. I was talking to the chairman a few days ago and intimated that in my opinion it would be wise to consider the advantages of an interim report such as is contemplated by this resolution. The thought I expressed was that unfortunately we have two church groups to hear yet. I feel sure when we have heard those two church groups we will be in a better position to proceed. If we go ahead and do these things without hearing those two important church groups we might easily be misunderstood. After we have heard them I think we will be in a position to commence active operations in dealing with this Indian problem. As far as I am concerned I feel I have heard sufficient evidence already. I think I could make a fairly good stab now at writing a thesis as to what should be done with respect to the betterment of the Indians, but we cannot afford to



overlook these two groups which will be coming before us very shortly, and the gentleman who is coming from the United States. I believe we could proceed then. I think Mr. Blackmore's resolution is timely and worthy of consideration, but whether we are prepared at the moment, without several more whereases, to say that \$15,000,000 should be put in the estimates is difficult for me to determine. It might require more than that. It looks to me as if we are aiming at a certain target, and we would have to substantiate it.

Mr. BLACKMORE: I might draw Mr. Case's attention to the fact that it says "at least \$15,000,000." If I might be permitted to make one comment, I have in mind as regards the objection Mr. Case pointed out. If the representations of those two very important groups would in any way modify our opinion that the Indians desperately need a good deal of financial assistance right now then I would say we should defer the motion until we had heard from them; but in my judgment, basing my forecast of what they are going to say upon what has already been said, it will only intensify our conviction that there simply must be something done, done effectively, and done now.

Mr. GIBSON: I should like to ask Mr. Hoey if he can spend \$15,000,000 this year. I do not think he could hire that many personnel in that time. You would agree with that?

Mr. HOEY: Oh, I do not think I could.

Mr. BLACKMORE: May I ask Mr. Hoey if he would not have a very comfortable feeling in having a little surplus after he spent all he could? There is no reason why the portion of this \$15,000,000 he was unable to spend within the year should not remain over and revert to the consolidated revenue fund if need be. But I certainly think that the passing of this resolution would be evidence to the Indians throughout this country that the members of this committee really mean business, and that they are not here just to talk and talk interminably.

Hon. Mrs. FALLIS: As I was the one who made the suggestion originally that there should be an interim report I should like to say that I am grateful to Mr. Blackmore for bringing it to the attention of the committee, but I think we should have a little time to consider just what form our recommendation should take. As the Senate is in adjournment for a short time now—not such a short time either—and there will be no members of the Senate present it seems to me that when we come to frame a definite recommendation we should have as large a representation of our committee present as possible from both houses. We should make every effort to have them here. While I support Mr. Blackmore in his motion in a general way I agree with the chairman that we should have the joint chairmen here, and as large a committee present as possible when we reach the matter of making that report.

Mr. BLACKMORE: I would entirely agree with Senator Fallis. What I am concerned about, as I know all members of the committee are, including Senator Fallis, is that this matter should not be deferred indefinitely.

Mr. BRYCE: For how long has the Senate adjourned?

Hon. Mrs. FALLIS: Until the 3rd of June.

Mr. BRYCE: Are they adjourned now?

Hon. Mrs. FALLIS: They adjourned last night. I am the only one left of the species.

Mr. CASE: That is quite a tribute to you.

Mr. FARQUHAR: It is understood this is to be taken as a notice of motion?

The VICE-CHAIRMAN: That is satisfactory?

Mr. BLACKMORE: Under the circumstances I think that is only fair. I do not want to see anything done hastily or to take advantage of a situation.



Mr. BRYCE: We have 34 members of the committee, and we should have a better representation for the discussion of this matter, although I think everybody will be sympathetic to your motion.

Mr. BLACKMORE: I am sure they will. I have talked to a good many of them and know the feeling of the members of the committee of all parties. Before deciding to defer this resolution I wonder if it would be possible to decide how long we should defer it before we reconsider it. Could we set the date now?

Mr. CASE: I think you would be safe in saying after the Senate reconvenes on June 3, because it is only fair we should have their representation here.

Hon. Mrs. FALLIS: Would it be possible to have a copy of Mr. Blackmore's resolution sent to each member of the committee in the meantime for their consideration so that when they come back they will know what it is all about and will have had time to think it over.

Mr. BLACKMORE: Could we have the clerk of the committee attend to that matter?

The VICE-CHAIRMAN: Yes.

Mr. CASE: I think that is a good idea.

Mr. BLACKMORE: Suppose we say that this resolution will be brought up for action by the committee at the first regular meeting after June 3.

Mr. BRYCE: Do we meet on June 3?

Mr. LICKERS: Yes, we meet on June 3.

Hon. Mrs. FALLIS: The first meeting after that then.

The VICE-CHAIRMAN: I think we are indebted to Mr. Blackmore for bringing something concrete before the meeting, and we accept it as a notice of motion. I understand that a meeting of the steering committee is to be held on Saturday or Monday, probably on Monday. They will have to take further action and try to get somewhere.

Mr. BLACKMORE: May I express to the chairman my regrets for having happened to decide to bring up this matter when the regular chairman was not here, which probably put him under a strain that he would not otherwise have been subject to.

Mr. CASE: He can carry it.

The VICE-CHAIRMAN: I am sure I speak for all here in expressing our appreciation of the very excellent brief from Mr. McKinnon. He dealt with matters that I for one was particularly interested to hear about, conditions in the Northwest Territories. We know a good deal about conditions in the southern parts of Canada, but this was more or less strange ground to us. We do appreciate what you have told us and are glad to have had you here.

Mr. GIBSON: I move we adjourn.

The VICE-CHAIRMAN: We will adjourn until Monday at 11 o'clock.

The committee adjourned at 12.45 p.m. to meet again on Monday, May 19, 1947, at 11 o'clock a.m.



















## MINUTES OF PROCEEDINGS

THE SENATE,

MONDAY, May 19, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11.00 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Bryce, Blackmore, Case, Castleden, Garipey, Harkness, Matthews (*Brandon*), MacLean, MacNicol, and Reid.

Mr. R. A. Hoey, Director of Indian Affairs, Ottawa, and Mr. N. E. Lickers, Barrister, Counsel for the Committee and Liaison Officer, took part in the proceedings.

The Chairman read a correction to the evidence given by Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Ottawa, on Thursday, April 24, and printed on page 712 of Minutes of Proceedings and Evidence No. 13.

Mr. William Zimmerman, Jr., Assistant Commissioner of United States Indian Affairs, was called and made a statement. He was questioned thereon.

At 12.55 p.m., the Committee adjourned to meet again at 4.00 o'clock p.m. this day.

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### AFTERNOON SESSION

The Committee met at 4.00 o'clock p.m. Mr. D. F. Brown, M.P., Joint Chairman, presided.

*Present:*

*The House of Commons:* The Honourable Messrs. Glen and Stirling and Messrs. Brown, Bryce, Blackmore, Case, Castleden, Harkness, Matthews (*Brandon*), MacLean, MacNicol, and Reid.

Messrs. N. E. Lickers and R. A. Hoey assisted in the proceedings.

Mr. Zimmerman was recalled and further examined.

The witness filed a copy of the "Indian Reorganization Act" as passed by the Congress of the United States, June 18, 1934. (For text, see appendix "EV".)

The Committee adjourned at 6.00 p.m. to meet again at 11.00 o'clock a.m. Tuesday, May 20.

J. G. DUBROY,  
*Acting Clerk of the Committee.*





## MINUTES OF EVIDENCE

THE SENATE,

May 19, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Gentlemen, will you come to order, please? First, there is a correction to be made in the Minutes and Proceedings of Evidence, volume 14, page 712. At present this portion of the evidence reads as follows:—

I might mention in connection with this question that we have the election provisions of the Indian Act under which, instead of holding office for life, the chiefs and councillors are elected for two months in one case and three years in the other, and, in a more advanced method, every year.

This portion of the evidence should read as follows:—

I might mention in connection with this question that we have the election provisions of the Indian Act under which, instead of holding office for life, the chiefs and councillors are elected for three years and under a more advanced method, every year.

If the members would care to make a notation on their own copies of the evidence at page 712, "Refer to the minutes of May 19", you will see where it is corrected.

We are honoured to-day in having with us Mr. Zimmerman, who is assistant commissioner of Indian Affairs, Department of Interior, Washington, D.C. Mr. Zimmerman has had a wide experience in Indian affairs in the United States. If it is your pleasure, we would be pleased to hear now from Mr. Zimmerman.

**William Zimmerman, Jr., Assistant Commissioner of Indian Affairs, Department of the Interior, Washington, D.C. called:**

*By the Chairman:*

Q. Before proceeding, Mr. Zimmerman, there may be some preliminary questions we should like to ask you in connection with this matter. First, you are Assistant Commissioner of Indian Affairs for the Department of the Interior of the United States, and look after all the Indians of the United States?—

A. That is correct. Mr. Chairman, in the United States and Alaska.

Q. What is the approximate Indian population in the United States and Alaska?—A. Approximately 420,000.

Q. How long have you been with the department?—A. I have been with the department since June, 1933.

Q. How long have you been assistant commissioner?—A. Since that date, that is my first and only position in the Indian service.

Q. Had you had previous experience in the Indian affairs department?—A. No, sir, I did not. I was placed in that position for what did appear to me at the time as a peculiar reason and might appear so to some of you gentlemen.

I was consulted by the man who controlled the appointment. He asked about my background, what my experience had been, and I confessed to him I knew nothing about Indians. His reply was, "I have so many experts downstairs, I want somebody who does not know anything." That was my primary qualification for the job.

Q. What had you been doing before that?—A. May I say that is not quite as ridiculous as it sounds because I was presumed to have the correct point of view on social and economic matters. I had been in the investment business for nine or ten years and was accustomed to advising other people how to handle their money. I had some business experience prior to that, I had been in the manufacturing business and, for many years, a writer. I had no previous background in Indian affairs.

Q. You have been assistant commissioner since 1933 and I presume you have travelled extensively over the United States and Alaska in connection with this matter?—A. I have. I have visited, not all the reservations, but I have visited most of them. I have been as far north as Point Barrow and as far south as the Everglades in Florida and the Mexican border.

The CHAIRMAN: Are there any other preliminary questions which the members of the committee would care to put to Mr. Zimmerman?

Mr. MACNICOL: Perhaps Mr. Zimmerman would like some direction in so far as making preliminary remarks is concerned.

The CHAIRMAN: We will come to that, but we are dealing now with preliminary questions to lay the foundation.

Mr. MACNICOL: We are anxious to know whether the Indians participate in voting and if so, how. We should also like to know something about the education of the Indians and who directs it.

The WITNESS: May I say, Mr. Chairman, I have seen the points of reference. I jotted those down and I assume your committee is concerned primarily with any comments I care to make on those points. Is that correct?

The CHAIRMAN: If there are no other preliminary questions, we should ask Mr. Zimmerman to give us any presentation he would care to make.

The WITNESS: May I say first, Mr. Chairman and gentlemen of the committee, that I am pleased to be here. I consider it an unusual privilege. I am hopeful that I can be of help to you and, perhaps you in turn, can help me.

My first trip to Ottawa was taken more than thirty years ago. At that time I was what would properly be called a "hack" writer. I was engaged to write a series of historical and biographical articles about Canada. I spent some six weeks here. Perhaps I know a little more of Canadian history than most of your visitors. At least, I remember some of the names. I have heard of such things as the Act of Union, I know the difference between Upper and Lower Canada. I know that Sir John Macdonald was different from John S. Macdonald, and I know things of that kind. I have, at least, a mass of surface information which is not pertinent here. I mention that to imply that, at least, I do not feel a total stranger.

I have talked enough with Mr. MacInnes, and others here to know there is a basic similarity between the Indian problem in the United States and the problems which confront you. There are, however, many points of difference. If you wish, I would summarize first, very briefly, the history of Indian relations in the United States so that you may have some knowledge of the background.

The Indian tribes in the United States, from the very outset, were treated as foreign nations, as sovereign powers. This explains, in a large measure, why Indian law has more resemblance, at least in the United States, to international law than it does to the law of the states and the law of the United States. I think about 1871 the United States made treaties with each of the tribes and,



unlike your situation, those treaties were numerous and frequent. There is hardly a tribe which has not had more than one treaty with the United States. The net result of that background is we deal with a vast body of law and treaties. We have on the statute books approximately 1,500 laws and treaties which are still in effect. I say that not to impress you, but just to give you an idea of the complexity of our situation.

This is a volume of the code which deals exclusively with Indian law. I make no pretense at knowing everything which is in there. I am a layman. We were constantly confronted with the fact there is an exception to almost every law and to almost every general rule in Indian affairs in the United States. We did not have any single statute.

In those early years the United States dealt with the tribes and concerned itself not at all with the affairs of the individual. The relationship of the United States to the individual springs from what we call the allotment system, which meant each man, woman and child was given a piece of land varying anywhere from 40 to 1,200 acres depending upon the holdings of that particular tribe, the assumption being that if an Indian was given a piece of land and sent to school, sooner or later he would turn out to be a white man and a good farmer. I think the history of the Indians in the United States has made it clear that the theory on which the allotments were made is unsound. Nevertheless, the effect of the allotment has resulted in creating certain problems which I understand you do not have. Most of the reservations in the north, the plain states, and in the far west were allotted. That means that we immediately were confronted with troublesome problems of control and the complications of individual ownership. Out of that we have evolved a system of probating an heirship control which is one of the worst burdens we have. When an Indian dies in most cases his land is not sold; it descends to his heirs, to a second, third and fourth generation; and we are responsible for maintaining that estate and maintaining records and paying out the proceeds of leased moneys and other problems of that kind.

Now, not all of the reservations were allotted; some of them were held intact and the individuals merely have leased rights which are recognized by their neighbours. They are just as valid and just as hereditary as the rights which other Indian tribes have by signing a piece of paper.

Perhaps I got off the main path by referring to the allotment system. That subject comes, perhaps, more properly further down in the list of problems. Now, I shall deal with the question of treaty rights and obligations. The United States generally has—I do not say it has ignored them—gone further than its obligations in meeting the needs of the Indians in certain respects and in other respects it has fallen far short. The United States is now providing gratuitous services for many Indians for whom it has no treaty obligation. That is true in California; that is true in Alaska; that is true to some extent in Montana. On the other hand, the United States have been very remiss in disposing of certain claims which the tribes have had against the government by reason of improper taking of land and failure to meet their obligations. That particular phase of the problem has reached a new stage in the creation of what is called the Indian Claims Commission, which has just begun to function. An Act of Congress was passed last year which contained very broad language authorizing the commission to consider any tribal and band claims against the government without regard to legal technicalities. Those claims may be moral or equitable and not solely founded on treaty. The settlement of those claims is, in my judgment, one of the urgent problems that we have. It is almost impossible to deal with a group of Indians in the United States to-day without spending at least the first morning of that session in a discussion of these claims which may go back forty, fifty or sixty years. The Indians have a psychological twist as

the result of those unsettled claims; they feel that they have been unfairly treated; they feel that their claims at the worst should have been heard and at the best should have been settled promptly. However, the United States congress in the days of what is called the Civil War, back in 1863, when many of the Indians were hostile to the United States and joined the southern confederacy, passed an Act saying that the Indian tribes could not sue the United States in the Court of Claims—a right which any citizen of the United States has. It was only last year that congress removed the bar and has now provided a forum in which the Indian claims may be heard. If the commission functions and disposes of all these claims within ten years as the law provides I believe that one of the greatest obstacles in the settlement of our Indian problems will have been overcome. Not only will it change the attitude of the Indians to the extent, at least, that they feel that they have been heard; but in many cases the Indians will recover substantial sums of money which will no doubt provide capital for various enterprises and, perhaps, for individuals, to be distributed sometimes per capita; but in any event it will relieve the federal treasury of the burden of providing funds in other ways.

There are very few of the tribes to-day who have sufficient funds to pay all the expenses of administration. It is possible that as a result of the payment of these claims many of the tribes will be economically self-sufficient: they will start with a cash base which would permit the purchase of new land or the construction of sawmills or canneries or other enterprises which would provide revenue for the tribe or band.

For a period of not quite sixty years, beginning about 1880, the United States pursued a policy which it seems to me can only be characterized as a policy of disposal. The Indian lands, as I have said, were allotted. In many instances the allotment agent allowed each Indian to select sufficient land to care for his current needs. That, at least, was the assumption. In many cases there was no attempt to block out a farming unit or a grazing unit; the economic factors were completely ignored. A man and his wife and their child might have three allotments and they might be at opposite ends of the reservation. There was no rhyme nor reason in the method followed in many cases. Then all the lands that were not allotted were opened either to public entry or to sale. They were treated, in effect, as public domain lands which could be entered by homesteaders. In some cases the lands were actually sold and the money was paid to the Indians. Now, the net result of that policy was that by 1930 Indians lands had been reduced to a base of about 49,000,000 acres from a total of 140,000,000 acres.

It is only fair to admit that in many cases the best lands were the ones which the whites acquired. You will find in the United States that most of the national parks, most of the national forests, and the best farming lands, the best irrigation projects are adjacent to Indian reservations. They were all once included in Indian lands. Over the years by legal procedures—I do not imply there was outright stealing; in many cases the procedure was perfectly proper—this system was carried out because well intentioned people believed that was the best way to dispose of the surplus Indian property and to ensure the future progress of the Indian on what was left to him.

By 1930, or perhaps a few years earlier, it was clear that in spite of much progress that had been made the Indian population in the United States was still predominantly a rural population and was dependent upon the land. A report was made by an independent organization headed by a man named Mariam and generally called the Mariam report, which pointed out the errors of government policy in the past and made certain broad recommendations for the future. With minor exceptions, the policies laid down in that report have been carried out since that time. The enactment of the Indian Reorganization Act in 1934 was one direct result of the Mariam report.



I would like to speak briefly about that Act because it is the outstanding piece of Indian legislation since the general allotment Act of 1887. It does lay down a policy which in effect reverses the old policy which was carried out since the 1880's. It forbids future allotment of Indian lands. Unfortunately, some of our democratically minded members of congress insisted that the Indians be allowed to vote on the question of whether this Act should apply to them, and there was in 1934 a great deal of confusion in the public mind and in the Indian mind as to what this Act would accomplish. The original draft of the bill which was introduced in the congress was far more comprehensive and included many provisions which were eliminated in the progress of this legislation through congress. The result has been that even to-day there is confusion in the minds of congress and in the minds of the Indians as to what this Act says. It is an important statute but I point out that, with minor exceptions, it does not grant to the Indians any powers which they did not previously have. The essence of the Act is that it forbade administrative officers from interfering with these powers under the theory, which the courts have followed in the United States, that an Indian tribe is a dependent sovereign power. Only in so far as congress has restricted its sovereignty has its sovereign power been curtailed. Now congress has passed several acts saying it will reserve to itself jurisdiction over the ten major crimes. It has passed several other acts, for instance several acts controlling the sale of liquor, but in the main, the Indian tribe to-day functions as a sovereign with limited powers. Perhaps it is fairer to compare a tribe with a county or local municipality. In fact, various constitutions which the tribes have adopted under the Indian Reorganization Act provide municipal types of charter. The advance charter or constitution provide in effect the same powers as municipalities and counties have in the United States. The power of the tribe goes even so far that it may adopt as its own, if it wishes, the act of the state. One or two tribes have actually, by ordinance, gone so far as to say that state law will apply on their reservation. They have extensive power over internal administration. It is regrettable in a way that there was so much confusion and that many of the tribes voted themselves, as we say, out of the Act. That meant for a number of years the provisions, immediately helpful provisions, such as the use of loan funds to purchase land or to replace some of the land that had been destroyed, were denied to the tribes which were not under the Act. The result of that situation is contrasting laws and policies on the two kinds of reservations; those which are under the Act and those which are not under the Act.

Mr. HOEY: What are the relative proportions?

The WITNESS: Initially, the Act was approved by a little more than one third of the total population. Then in 1936 congress passed two other acts, one applying to the Indians in Oklahoma and the other applying to the Indians and Eskimos in Alaska. As a result of those two later acts some 130,000 other Indians were included so that now somewhat more than two-thirds of the total Indian population comes within one of the three acts. The three acts really supplement each other. I do not know whether you want details on that Act but we have the text here and perhaps sometime later during the day you may want further details. In my judgment the Act has been extremely helpful.

The CHAIRMAN: What is the name of the Act?

The WITNESS: We cite it as the Indian Reorganization Act of 1934. As I say, in the earlier years, many tribes had constitutions which were approved either by the commissioner of Indian Affairs or by the secretary and it was always in his discretion to decide what was to be done. I think sometimes those constitutions were ignored. The constitutions and charters that have been adopted pursuant to this Act give a great deal of power to the department. They



go further, in that almost all of them have provisions which permit the tribes to petition for the termination of the department's authority. Now up to this moment none of the tribes has requested termination of any of our supervisory power. I do not know how soon that movement will be started. For example under most of the constitutions the approval of oil and gas leases is subject to departmental control. Now under the constitution, say of the Blackfeet tribe, that tribe could say to the secretary of the Interior, "We want to terminate your power over this particular item of business". If the secretary agrees then the matter is terminated there. If the secretary disagrees the matter is referred back to the tribe for a referendum and if the tribe still says "We want control over that" then the secretary is overruled and the power is handed over to the Indians. That Act also had reference to employment of Indians and we do have in the Indian service a large percentage of Indian employees. It is both the policy and the law to give preference to Indians in the matter of employment. My experience has been that the Indians do not want preferential treatment unless they meet the same qualifications as all other employees. We have a special classification of Indians who are not in the civil service but most of them want to be classified as civil servants and they want to take the regular examinations. They are rather insistent that they be promoted on their merits and not because they are Indians. Now I do not know how much information you want to have by way of detail as to how the Indian service in the United States is operated. Would that be of interest to you?

The CHAIRMAN: Very much, I would think.

The WITNESS: Shall I include the scope of our operations?

The CHAIRMAN: I think that would be very interesting.

Mr. REID: Yes and would you give the number of Indians involved.

Mr. CASE: We have had that.

Mr. REID: Oh, I am sorry.

The WITNESS: Well, I shall give you this information out of my head and if I have to check the record later I will be subject to correction. We have in Chicago, a central office which ought to be in Washington. We were moved out of Washington, which is our normal headquarters, because of the war and the shortage of housing and office space but I hope our permanent office will be returned to Washington very soon. We have in the Chicago office force about 300 people of whom roughly one-half do housekeeping work. That is to say they are accountants, bookkeepers, handle appointments and do bookkeeping work and work of that character. The other half of the staff consists of technical and professional supervisors who have direction in their special field. Those people are in education, extension work, forestry, grazing, irrigation, and other matters. On paper the heads of those various professional units are advisors to the commissioner. It is really a staff organization. Now, directly responsible to the commissioner, are certain district directors. They are five in number. That district organization is relatively new, as it was only established last year and it is too early to predict how it will function. That is particularly so because at present congress has given some indication that it wishes to reduce very sharply our expenditures. If the expenditures are reduced beyond a certain point it will not be possible to maintain those district offices for the purposes for which they were established. The primary purpose for establishing district offices was to have an organization nearer to the reservations where most of the individual decisions could be made. A good many decisions heretofore have been referred to Washington and to Chicago. The volume of business is too great and consequently most people in these offices can contribute nothing except administrative approval. It is not possible for me to sit in Washington or Chicago and determine with any degree of intelligence whether John Smith in Oklahoma

should buy a piece of land for \$6,000 or for \$8,000. Decisions of that kind must be made in the field. The whole point of the current reorganization which we are undergoing is to relieve the central office of the administrative detail and leave that office as a policy-making organization.

Mr. HARKNESS: How many of those district offices are there?

The WITNESS: We have five.

Mr. CASE: And each has a district director?

The WITNESS: Each office has a district director. Now, you might say, "Who has the final authority on various matters?" Usually the line of division is a dollar division. The director has the right to appoint certain people up to a certain specified salary range. He may approve leasing contracts; he may approve sales of timber up to a specified volume; in other cases there is a right of appeal from his decision to the central office. In each district our reservations are headed by superintendents. The time was when we used to call them agents but the word agent, for some reason, had acquired an unpleasant connotation and about fifteen years ago the name was changed to that of superintendent but they serve the same function. The superintendent makes the final decisions on many matters. Usually smaller sums are involved. He approves individual leases; he has the right to hire and fire employees up to a certain grade; he has the right to pay out individual funds to Indians in accordance with rather elaborate regulations which we prescribe and in general the superintendent is the mayor, or governor, or whatever you want to call him in charge of local administration. He has administrative responsibility for the expenditure of funds and he has administrative responsibility for the professional people who are under him. The head of schools on a given reservation is administratively responsible to the superintendent. Then his director of education is responsible to me. The line of authority is the same. On professional matters, determination of a curriculum and matters of that kind, there is a line of authority direct from the professional line. The director of education prescribes a curriculum and handles matters of that kind, not the lay superintendent. With respect to the number of employees in the department as of December of last year there were some 11,273 positions. I remember the figure very well because I had been subjected to considerable interrogation by congressional committees. All the positions were not filled at that date and we have at the present moment somewhere in the neighbourhood of 10,500 employees of whom more than 6,000 are Indians. The largest groups, as you would expect, are teachers, nurses and doctors. Now let me go back. During the present fiscal year our total budget, that is federal funds, amounted to \$44,000,000. Nearly one-half of that was spent for the maintenance of schools, the payment of tuition, and various other charges that come under the heading of education. It also included the maintenance of hospitals, some public health services, some field nurses. The total includes payments for education and medical work with certain services that are necessitated by those operations, that is to say, the payment of freight and the purchase of supplies. Those two items constitute by far the largest expenditures we make. Road construction cost is a large item. The construction of irrigation projects runs into a good many million dollars over the years. The supervision of oil and gas operations and various mining operations is also a large item. Another item is the selling of timber and the work that we call extension work which is essentially teaching people how to farm. Those are the other items that make up the bulk of the expenditures. We are also charged, and I think unfairly, by the treasury, with interest on tribal funds. The various tribes and bands have substantial funds in the treasury and the payment of interest on those funds strangely enough is charged as operating expense against the Indian service. It seems to me obviously it should not be so. It is a burden on the treasury and if the treasury does not want to use the money they can

find some other way of disposing of it. Certainly payment of that interest is of no benefit to the service. The interest and principal stay in the treasury unless congress says otherwise.

Mr. HOEY: Is that included in your total budget?

The WITNESS: Yes, that is included in our total budget.

Mr. LICKERS: What rate of interest do they charge you on it?

The WITNESS: There is a statute which authorizes the treasury to pay 4 per cent unless treaties or other special statutes specify the rate. Actually there are one or two tribes which have treaties calling for 5 per cent but most of those funds draw 4 per cent interest. Now, Mr. Chairman, if that is sufficient by way of general background I shall go on to these various points and just take them up very briefly.

The CHAIRMAN: I might explain to you, Mr. Zimmerman, what our procedure has been. The presentation the witness desires to make is given without interruption and then at the end of the presentation we take turns in asking questions of the witness to clarify any points that have been brought up in the presentation. I think I will be safe in saying that most of the time, if we can prevail upon you to stay here, will be taken up in interrogation by members of the committee.

Mr. REID: I wonder if it would be of use to the committee if Mr. Zimmerman gave the salient points of the new Act. I think it would of interest to the committee and I do not mean that the witness should give the whole Act but just the salient points and then it would become part of his presentation.

The WITNESS: Would you like the text of the Act included in your record? It is not very long.

The CHAIRMAN: I think it would be fine if you could arrange it.

The WITNESS: I can submit the whole text.

The CHAIRMAN: In the meantime you could perhaps point out the salient features. You are speaking of the Act which is now in force?

The WITNESS: I am not sure which Act the gentleman was asking about.

Mr. HARKNESS: The Indian Reorganization Act.

The WITNESS: That is in effect.

*By the Chairman:*

Q. Is there any other Act you propose to bring in?—A. There are pending many bills which would have some bearing on the general discussions, but there is no general Act of this kind.

Q. I think if you would give us the general Act, we would appreciate it.

*By Hon. Mr. Stirling:*

Q. Is this the Act of last year?—A. No, this is the Act of 1934. I will summarize each of these sections very briefly.

Section 1 provides that no land on any Indian reservation shall be allotted in severalty to any Indian. I have already mentioned very briefly what that means.

*By Mr. Case:*

Q. I did not catch one word there.—A. "Allotted in severalty to any Indian"; as I explained before, this whole Act applies only to those tribes which agreed to accept it. There is still discretion in the secretary of the Interior to make allotments, but it has been the policy not to make allotments.

Mr. HOEY: Allotment means to us the right of occupancy, but allotment in your case means title and the right of disposal, does it not?



The WITNESS: Let me answer you by reading section 2 and then I will explain the difference.

Section 2 says, that the existing period of trust placed upon any Indian lands and any restriction on alienation thereof are hereby extended until otherwise directed by congress. Let me explain; when an allotment is made, ordinarily the Indian receives what we call a trust patent. This may specify that the land shall not be alienated for a term of years, or it may specify that the land shall not be alienated without consent of the secretary of the Interior. The Indian has a specified piece of land and the title is recorded for his benefit but the legal title is still in the United States in trust for that Indian until the trust period is terminated.

Mr. HOEY: Prior to your reorganization, what did allotment on a reservation mean?

The WITNESS: It meant exactly that, that the Indian received a piece of paper, actually, which recited—

*By the Chairman:*

Q. That is, the title to a piece of land?—A. He has the beneficial title.

*By the Hon. Mr. Stirling:*

Q. But he may not dispose of it?—A. Not without the department's consent.

*By Mr. MacNicol:*

Q. Could he dispose of it to a white man?—A. To anyone, but the ordinary trust patent is not transferable to any person without the department's consent.

Q. What I want to find out is, could an Indian dispose of that land to a white man?—A. Not without the department's consent. With the department's consent it could be done. As a matter of fact, during this disposal upon which I am looking back, the department did dispose of millions of acres of land. We have a situation as a result of that policy which you do not face. Almost every Indian reservation on which allotments were made is badly checker-boarded. The white men bought the best land.

*By Mr. Case:*

Q. The department consented to the transfer of that land?—A. That was the policy for many years. You take a map of the reservations out west and you will see the lines of white ownership follow the river courses on the map. You can see very easily where the bottom lands, the best lands, are because those were the first lands the white men purchased.

We have, as the result of that, an intermingling of white and Indian ownership and white and Indian laws. We have a very difficult administrative problem. You have adjacent pieces of land within the reservation, mind you, on which two sets of law apply. On one side of the road there is state law and on the other side there is Indian law. We are constantly faced with legal difficulties, not to mention administrative ones. All those Indian lands which were sold to white people, of course, became taxable.

Now, this trust patent which, in most cases, was issued for 25 years could be changed, even under existing law. It is possible to issue a patent-in-fee, and that is a simple fee title. When a patent-in-fee is issued, we record the patent and the land is removed from our jurisdiction. We have nothing further to do with it. The Indian may sell it or keep it, just as he pleases. It has lost its character as Indian land.

*By Hon. Mr. Stirling:*

Q. Does the owner leave the band?—A. No, sir, that is not necessary. Perhaps I can come to your points or reference. Shall I take up the points on your reference?

The CHAIRMAN: If you would continue with your discussion of the Act, we could file that and have it become a part of our record.

The WITNESS: I could answer the gentleman's question by saying the sale of an Indian's individual land does not necessarily require him to terminate his membership in the tribe.

Section 3 of this 1934 Act related to a particular situation which I think you do not face here. All these reservations which were opened in the 80's and 90's, were open to entry and the lands which were not sold were still held by the United States. The agreement with the tribes was that such lands as were sold would be turned over to the white people and the proceeds paid to the Indians. Generally, that was done. I think in one or two cases the Indians had to sue the United States for the proceeds. All the lands which were not sold the United States held until the passage of this Act.

This section 3 authorized the secretary of the Interior to restore these unsold lands to the reservation. It was an important source of increase. There were several millions of acres of land which had been held by the United States on the theory that, some day, a white man would buy them. These lands were returned as a result of this provision.

Section 4 placed a limitation on the transfer of restricted land. "Except as herein provided, no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe or corporation organized hereunder shall be made or approved: provided, however, that such lands or interests may, with the approval of the secretary of the Interior be sold, devised, or otherwise transferred to the Indian tribe in which the land or shares are located or from which the shares were derived or to a successor corporation, in accordance with the then existing laws of the state, or federal laws where applicable". If you do not mind, I shall not read all the legal language. I will give you the essential points.

One of the purposes of that section was to eliminate at least one channel through which Indian land was being lost. This section, in effect forbids the alienation of Indian lands now held in trust. It does permit exchanges between Indians and white people on the basis of equal value. There is language in here which provides that the secretary may authorize voluntary exchanges of land of equal value and voluntary exchanges of shares of equal value.

Section 5 is simply an authorization for the appropriation and authorization for the department to purchase land to be used for landless Indians. It is to provide land for the Indians. Section 5 provides that the title to any land so acquired shall be taken in the name of the United States in trust for the tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from state and local taxation.

Section 6 has to do with forestry and range management and requires the units to be operated on the principle of sustained yield. It authorizes the secretary to restrict the number of livestock grazed on the range units to estimate the carrying capacity of the ranges and to promulgate such other rules and regulations as to protect the range from soil erosion and so forth.

Section 7 authorizes the secretary to proclaim new Indian reservations on the land acquired pursuant to the authority of this Act or to add any purchased land to existing reservations.

Section 8 is of no particular interest to you. It refers to Indian holdings, Indian allotments made on the public domain outside the boundaries of Indian reservations. In some cases, notably in North Dakota, Montana and some parts of California, allotments were made to Indians scattered all over the public domain without any reference to original reservations. Generally, these allotments were made to the after-born Indians. There was no room for them on the reservations.

Section 9 authorizes an annual appropriation for the expenses of organizing these Indian chartered corporations or other organizations authorized by this Act.

Section 10 authorizes the establishment of a loan fund in the sum of \$10,000,000.

Section 11 authorizes the annual expenditure of \$250,000 for loans to Indians for the payment of tuition and other expenses in vocational and trade schools.

Section 12 provides for a special classification of employees of Indian blood. It reads,

The Secretary of State is directed to establish standards of health, age, character, experience, knowledge and ability for Indians who may be appointed, without regard to civil service laws, to the various positions—

May I interrupt the reading to repeat what I said before, that most of the Indians do not want to be appointed under that section. Aside from their natural pride in meeting the same conditions of competition as the other employees there is a further element. Indians who are appointed under this section do not share the retirement benefits under the regular civil service procedure. Therefore, it is obviously to the Indians' interest to qualify, if they can, by examination or otherwise under regular civil service provisions.

Section 13 excluded from the operation of this Act certain tribes, most of whom were later included by the amending Act of 1936.

Section 14 relates specifically to certain treaty obligations to the Sioux, and has no general interest.

Section 15:—

Nothing in this Act shall be construed to imperil or prejudice any claim or suit of any Indian tribe against the United States. It is hereby declared to me to be the intent of congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall be considered as offsets in any suit brought to recover upon any claim of such Indians against the United States.

May I say, parenthetically, the policy of the courts and the Department of Justice in the United States has been to charge against all tribes, wherever possible, all expenditures which have been made, allegedly for the benefit of the tribe. The results of these offsets has been to reduce the claims, even those claims which have been paid, to nominal sums. In many cases the expenditures have wiped out the entire claim. It has always seemed to me a gross injustice. Perhaps I should not say that, but it does seem to me that if you have an obligation to carry out certain functions, you carry out those functions voluntarily in your dealing with the tribe. If, after some years, the tribe comes along and maintains a valid claim against you, you then say, "Well, I have spent all this money for your benefit in the meantime so I am not going to pay your claim."

*By Hon. Mr. Stirling:*

Q. Has this section survived those amendments to which you referred?—

A. This section? Yes, sir. This section 15 has been broadened by language in the Claims Commission Act which was passed last year. The Claims Commission Act expressly excludes certain kinds of expenditures which are no longer admissible as offsets in the event of a tribal claim.

Section 16 refers to the organization of the tribes for the common welfare. It authorizes the adoption of a proper constitution and by-laws which must be ratified by a majority vote of the adult Indians, either members of the tribe or of the constitution, adult Indians residing on the reservation. Now, that consti-



tution, when it has been approved, is not subject to revocation by the secretary. It may be revoked only by an election held by the voters in the same manner as the constitution was originally adopted.

Mr. HOEY: When a tribe is incorporated in that sense, Mr. Zimmerman, it can be sued in the courts?

The WITNESS: Yes, but not under this particular section. The tribe may also adopt what is, in effect, a business charter which authorizes the tribe to buy property and dispose of it. The tribe may buy land, sell land, may engage in business, may sue and be sued, have a corporate seal and otherwise generally engage in any business just as a business corporation would.

Mr. HOEY: Could you tell us, offhand, how many incorporated tribes there are?

The WITNESS: I would have to guess, but it would be about 25 or 30, perhaps.

*By Mr. Castleden:*

Q. These tribes could not be sued unless they had been incorporated?—

A. That is correct.

Then, section 18 is a provision requiring the Indians to vote as to the acceptance of this Act. After the Act was passed, each tribe was called upon to vote as to whether or not it would accept the provisions of the Act.

*By Mr. Matthews:*

Q. Some tribes accepted and others did not?—A. That is correct.

Section 19 is merely a definition of the term "Indian", which may be of interest to you. It is only for the purpose of this Act, so do not be misled.

The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal people from Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty-one years.

An effort was made in that section to make provision for Indians who are not definitely affiliated with one or the other of the tribes or bands. This was the reason for the reference including all other persons of one-half or more Indian blood. We do have, in the United States, a considerable number of Indians, some of them of Canadian origin, who have no definite tribal affiliations and the thought was, if they were definitely Indians, at least one-half Indian blood, there ought to be some provision for taking care of them.

*By Mr. Case:*

Q. How do you determine whether a person has one-half Indian blood?—

A. It is sometimes hard to do. We accept the best available evidence. Sometimes there are written records and sometimes we accept affidavits.

Q. In any event, there would be just one inter-marriage?—A. That is right. I would be very happy, Mr. Chairman, if the members of the committee wish to ask questions, to have that done now. I have no objection to an interruption.

The CHAIRMAN: I do not think you need to worry because we will have many questions to ask you when you have finished.

*By Mr. MacNicol:*

Q. May I ask whether there is any distinguishing mark or evidence as to whether there is Indian blood in a person the same as there is between the coloured races in the south and the white race?—A. Any distinguishing mark?

Q. Mark or evidence—for instance, in the south the fingernails are examined to tell whether a person is part black or white?—A. I am not an anthropologist, but anthropologists tell me you can tell, generally, unless the Indian blood is diluted too much. I have seen reports by anthropologists in which they allege, at least, that they find certain characteristics which determine whether there is Indian blood or Negro blood or some other kind of blood. Frankly, that is getting into a field which is administratively impossible. When we do have to make a determination as to the degree of blood, we try to rely upon written records if the records exist, or upon the testimony of people who have known the family, something of that kind. Anthropological evidence is not very satisfactory.

*By Mr. Reid:*

Q. In a case where one claiming to be of Indian blood has much less than 50 per cent Indian blood, he then is wiped off the books as an Indian; he is not recognized at all?—A. No, that provision only applies to people who claim Indian blood and who are not otherwise so recognized. We have many members of tribes who have less than half Indian blood who are recognized as members of the tribe. Let me say this, except for this provision, the federal government does not attempt to determine who is an Indian. Membership in the tribe is controlled by the tribe and the requirements for membership are traditionally three: one, Indian blood; two, residence or recognition by the tribe; three, affiliation.

There were Indians, undoubtedly of Indian blood, who were not recognized by the tribe. The tribes, to this day, have the right to expel members, even though they have Indian blood. The federal government does not attempt to dictate who is or is not an Indian. The federal government has placed certain limitations on the use of its money. Congress has said to us certain funds may be used only for Indians of one-fourth or more. We may not pay tuition, for example, of Indians in school if they have less than one-fourth Indian blood. And there are other provisions. This loan fund which was established by the Act of 1934 is limited by statute to Indians of one quarter or more.

Mr. HOEY: There is no such limitation on band funds?—A. There is no such limitation. Some of the tribes or some of the bands have written limitations into their constitutions. They may vary from half-blood to as little as one-sixteenth. Some of the tribes will recognize the membership of Indians of one-sixteenth and some of them have no limitation.

Mr. REID: May I ask this further question on that point? It is a most interesting point and I think all the members of the committee are vitally interested. Say an Indian marries a white woman and she is accepted as an Indian and he dies. Well, generally speaking, does the tribe recognize the woman and take her into the band? I am presuming the white woman is a widow then.

The WITNESS: Generally, if an Indian marries a white woman his children would be enrolled. His children would be recognized as members of the band. There again the situation is not uniform and I do not mean to evade your question but the situation is not uniform. In New York state you will find in cases

where there is exactly the same degree of blood that one is the child of an Indian mother and one is the child of an Indian father and one will be enrolled on the tribal roll and the other will not be enrolled.

Mr. REID: What about the widow?

The WITNESS: The woman ordinarily takes the status of her husband if she lives on the reserve and her children live there. She is probably not a member of the tribe but she would inherit property from her husband if he had any individual property.

Mr. CASE: Would your department recognize her for benefits of Indians?

The WITNESS: We would not ordinarily pay her anything direct but her children would share in whatever benefits the tribe might get. Indirectly, if the woman continued to live there she would be taken care of.

Mr. CASTLEDEN: Does the department exercise any control as to who should be a member or not? Or does the band decide to accept or to admit somebody?

The WITNESS: Ordinarily not. In a few cases there have been special acts of congress which have authorized the secretary to make up the tribal roll. Sometimes that has been what we call the "final roll", perhaps for the purpose of distributing property.

Mr. CASTLEDEN: In general you leave that matter to the tribe?

The WITNESS: In general it is a matter for the tribe.

Hon. Mr. STIRLING: Generally, do they keep up their rolls properly?

The WITNESS: Generally they do. The fact of the matter is that is one of the jobs in the agency office.

Mr. HOEY: Could I go back to Mr. Reid's question, I think it is rather important? Let us look at the widow again. Supposing a reserve has the rights of this particular state and the state makes provision for mother's allowance and other such social services, would the widow have any claim on the state for benefits of that kind?

The WITNESS: Yes, not only she would have a claim but her children would have a claim on the state.

Mr. HOEY: I am thinking, not of the federal government, but of the state government.

The WITNESS: Let me go back to this fact. All native born Indians are citizens of the United States. Prior to 1924 there was a line of division, or several lines of division. Once upon a time the only Indian who was a citizen was an Indian who had abandoned his tribal relationship and adopted the ways of civilized life. Roughly that was the definition. Then there were certain special acts which said Indians who had received a patent-in-fee to their individual holdings of land were citizens and it was not until 1924 there was a blanket act which made all Indians citizens. In theory every Indian is entitled to the same benefits, whether they come from the federal government or from the state, as any other citizen. With minor exceptions, and there the exceptions are generally by states, the Indians do have the full rights of citizenship.

Mr. HOEY: Of course that recognition here would have very far-reaching consequences?

The WITNESS: The situation is not at all like the situation you have here.

*By Mr. Castleden:*

Q. In this country the Indian is considered a ward and in your country you consider the Indian is a citizen?—A. He is a ward, and for one hundred years congress has said there is nothing incompatible between citizenship and wardship.



Q. A ward has no right to sue?—A. That is correct and in a few cases, there is at least one surviving statute, a particular tribe is not competent to make a contract.

Q. But is the Indian competent as a citizen? As a citizen has he that right?—A. Well, as I say he has a right to make a contract but the other party has no claim against any of his restricted property. In effect, therefore, although the contract may be valid there is nothing pledged behind it, no security. We make a distinction for example, where Indians buy merchandise and run accounts at grocery stores, but the man who extends credit to that Indian has no claim upon money in the hands of the United States.

Mr. MacNICOL: Nor in the hands of the band.

The WITNESS: Nor in the hands of the band. That money is trust money and it has substantially the same status as trust funds tied up in the hands of a private trustee.

Mr. MATTHEWS: He would have to claim against the Indian's estate?

The WITNESS: No sir, it would be legal claim and it is true that as a matter of administration we endeavour to settle claims.

Mr. MATTHEWS: You would need to be careful about extending credit, would you not?

The WITNESS: Yes, any man who extends credit to an Indian on his restricted property does so at his own risk.

Mr. HOEY: I am still very much interested in Mr. Reid's question. What is the position of the Indian woman who leaves the reserve and marries a white man and who wants to return, as many of them do want to return, to the reserve because her relatives are there and her friends are there? After the death of her husband she may have very little in common with the people in the midst of whom she is living. What is her position?

The WITNESS: Ordinarily she has forfeited nothing by going away during the period of her marriage. Ordinarily she has not surrendered or given up membership in the band and if she wishes to return she may do so. Now there again there are exceptions. Some of the tribes in their adopted constitutions have specified that if you leave the reserve and stay away for a period of years you forfeit your membership, but ordinarily that is not true and she can come back.

Mr. HOEY: During the period of her marriage to a white man does she share in the distribution of band funds?

The WITNESS: Yes she would share if there were any distribution.

Mr. REID: In other words when she marries an Indian she retains a certain status all the days of her life no matter what her future married status may be.

The WITNESS: That is correct. We are not entirely consistent because if her husband is supporting her then we do not give her free medical service.

Mr. CASE: Ordinarily could she bring her children back to the reserve?

The WITNESS: Yes.

Mr. HARKNESS: That would ordinarily be a matter for the band to decide?

The WITNESS: That is correct. The band customs are, however, not uniform. In Minnesota, among the Chippewas, for many years it was well understood that children born away from the reservation had no tribal status. The band could adopt them but they did not inherit, by reason of blood, any tribal status. So we have, in Minnesota particularly, a situation where brother and sister may have different status. The older brother may have been born on the reservation and he may have been enrolled there. Then his father and mother move away and the younger sister born ten years later is not a member of the tribe.

Mr. CASTLEDEN: She could be enrolled if the band wished?

The WITNESS: Yes.

Mr. HOEY: What responsibility do you accept for Indians living off the reserve, particularly in urban centres? Say they have been eighteen or twenty months off the reserve. Let us suppose an Indian is living in Cincinnati with his family, do you accept responsibility for his education and medical care there?

The WITNESS: You raise a troublesome point. The answer really is no, but we are under great pressure to follow that Indian to his destination.

Mr. HOEY: Administratively we found that impossible, that is why I put the question.

The WITNESS: We cannot do it either. We have no machinery and further, I think it is an unsound policy. Admittedly many of the Indians must leave the reserves in the United States because the reservation will not support the increased population. One of the steps in the present program is to provide vocational training which will make it possible for the Indian to leave and to be a carpenter or a plumber or a pipe-fitter or whatever it is. We have been under pressure, and we are under pressure now, in certain areas. I have in mind a city in South Dakota, Rapid City, which is close to several reserves. There are some 800 Indians now living in the city and the city has just thrown up its hands and said "We cannot do anything with these people". They say that the department should provide doctors and clinics and should do various other things. Now that is wholly contrary to the traditional policy. We just have no practical way of doing it. We do not have the money and I think frankly it is up to the community. The community provides the incentive and provides the employment and I cannot see why they should not deal with that situation just as they do for any other people who move into the town.

Mr. HOEY: They become taxpayers usually, do they?

The WITNESS: Either directly or indirectly. If they live in rented property they pay taxes indirectly. I realize that in some of these smaller communities it is a burden on the town but it seems to me it is not a job that we can do. We need to follow through in some cases, yes. Particularly during the war years we did. We attempted to help some of the communities in which the Indians congregated but I should say in the long run that it would be bad policy.

Mr. HARKNESS: Mr. Chairman, I would suggest that Mr. Zimmerman go ahead and complete his presentation.

The CHAIRMAN: I was going to suggest that. It was at the request of the committee that we allowed questions at this time, but I think it would probably be well for Mr. Zimmerman to complete his presentation because the number of points in the reference will take considerable time to cover.

The WITNESS: Well, unless there are other questions about band membership I will go on.

The CHAIRMAN: There may be some questions but we will not ask them just at the moment.

The WITNESS: All right. The next point is liability of the Indian to pay taxes. In the United States the Indian pays all taxes except the taxes on his restricted property, his land. Even then, he may, in certain cases not be required to pay taxes on the income from that restricted land but if he earns money off the reservation or if he has cattle, let us say, to which he has the free title, income from any of his operations is taxable just as income of any other citizen is taxable.

Mr. CASTLEDEN: Was that done before he became a citizen, might I ask?



The WITNESS: No, I think not, but I think it is probably the result.

Mr. CASTLEDEN: The result of granting him the franchise.

The WITNESS: Yes. The law is changing in addition. Not more than two years ago the Supreme Court of the United States handed down a decision which opened up a new field of taxation which said the state of Oklahoma had the right to collect inheritance tax. It was not called inheritance tax it was alleged to be a transfer tax. Nevertheless it opened up a new field and also reversed the philosophic basis on which the courts had previously rested. The courts' decision turned on the fact that there was no express English in this particular statute forbidding taxation of Indian estates. Heretofore the Supreme Court has always considered the statute liberally in their direction. Unless the Indians were expressly included they were held to be excluded. Whether that is going to set a new trend for the court I do not know but from the standpoint of the Indians it is a bad sign. The Indians generally are paying sales taxes in the states. They are paying excise taxes on cigarettes and other things which they purchase. Most of them, if they have automobiles, get licences and pay taxes that way and they do pay federal income taxes.

The CHAIRMAN: Now could I ask the members of the committee if they would just make notations of their questions so that we can get through the presentation.

The WITNESS: I think on the matter of enfranchisement perhaps we have already covered a good deal of it or at least covered it sufficiently for the moment.

Mr. REID: Are they enfranchised? Do the Indians vote? I am not clear on that.

The WITNESS: Well under our situation the determination as to voting rests with the state. The federal government has said they are citizens but the qualifications for voting are established by the state. Now in most of the states the Indians vote. In two of the states they are forbidden to vote. In one case there is a constitutional provision about Indians not being taxed, which dates back to the old days when there was nothing but real estate tax. That particplar provision is being tested in the court now. The only two states in which Indians are not allowed to vote. to some extent at least, are Arizona and New Mexico. In practically all of the other states Indians are permitted to vote.

Mr. HARKNESS: Does that apply to Alaska as well?

The WITNESS: Yes, they vote in Alaska.

Hon. Mr. STIRLING: Male and female?

The WITNESS: Yes.

Mr. CASTLEDEN: This vote was granted to them straight out? They did not have any say as to whether they wanted to take on this responsibility or not?

The WITNESS: No, they had no say in it. As a matter of fact there was some feeling about the matter, particularly when they found they were still subject to the same restrictions being Indians, and that they were subject to the draft. So Indians may vote at national elections and at state elections except in those few cases where there are some state restrictions. We have had difficulty in one or two of the southern states because they have educational qualifications. We had an incident in North Carolina, where, in this case, the tribal chief, who reads and writes and speaks English very well, read a whole page of the state constitution but the election judge said "No, you are illiterate and you are not allowed to vote". Well we fought that through in the courts, and at least in North Carolina, I think, those Indians will now be allowed to vote.



The sixth point is encroachment of white persons in Indian reserves. I have given you a partial answer I think, by telling you about the allotment system which in effect opened up the reserves to white settlement. The result is that right within the boundaries of the reservations you have more white people today than you have Indians.

Mr. HOEY: What attempt have you been making to buy back that land?

The WITNESS: It is just not possible to buy back the land. There is just no hope of getting enough money to do it. In many bands the lands were sold and have been improved. In some cases you have towns, fairly large towns, which are built within the reservation boundaries. That is true for instance, at Klamath in the State of Oregon.

Mr. HARKNESS: And Browning, Montana.

The WITNESS: Browning, Montana is another. Hardin, Montana, is another where the city grew up within the boundaries of the reservation. There are other places where it is just not feasible and what we had hoped to do was to make some consolidation within the boundaries so that there will be usable units of land. It is just not possible to recover land that has been sold. We do have this problem of white infiltration. These white people cause many problems. Right today we are being besieged by Indians who want to sell land or say they want to sell their lands and there is a flood of bills in the congress directing us to sell Indian lands. In most cases the snake in the grass is a white man who wants to buy the land. It has actually happened that a member of congress stood up in committee and said that he had an affidavit from a certain Indian asking that this land be sold but he said "I know that the lawyer for the white man who wants to buy the land drew the affidavit. In my files I have an affidavit from the very same Indian saying 'I do not want to sell that land'". There is pressure now on almost all the reserves, very much like the pressure that was exerted after the first war. At that time the government policy was to sell the land and even to sell off the breeding stock, sell the cattle off. Their thought was that prices were high and they had better sell, and we are being subjected to the same kind of pressure today.

Your seventh point has to do with the operation of schools. There I think our situation is different from yours. About one half of the Indian children who are in school attend the public schools. In general the government's policy has been to encourage them to go to public schools.

*By Mr. Castleden:*

Q. You mean white schools? You mean neighbouring white schools?—

A. Yes, neighbouring white schools. The general system is that they are maintained by a local school district whose funds are raised principally by taxation of land and those local funds are supplemented by grants from the county or the state. Many of the states now have a fund to help the weaker counties and the weaker school districts. Some of those public school districts are wholly Indian and I have in mind a number of reservations where the Indians just set up their own school districts. The federal government has put up the building and the Indians have elected a school board and deal with the situation just as if it were a public school district outside the reservation.

Q. And they operate successfully?—A. Yes.

Q. You find good progress?—A. They are making progress.

*By Mr. Blackmore:*

Q. Under the state or federal government?—A. Those are state schools about which I am talking. They are not really state schools, they are really run by the local districts.

Q. But they are under the state?—A. They are under the state. They are not federal schools.

*By Mr. Castleden:*

Q. These schools use the state curriculum?—A. That is correct. This accounts for about one-half of the Indian school population. The other half is divided. The federal government operates what we call day schools as distinguished from residential schools. These schools operate just as day schools do. The children go home at the end of the school day and live at home. We operate schools of that type. Then, we also operate a number of residential or boarding schools. These are either on the reservation or in a few cases off the reservation.

In the early days it was considered the best place for a boarding school was away from the reservation. If you could get the Indian child young enough, take him away from his family, keep him in Pennsylvania or New York or Kansas or some place until he grew up; then if he went home, he would be a white man and live as a white man thereafter. Therefore, these boarding schools were, originally, established away from the reservation. However, in more recent years we have built boarding schools on the reservation.

Some of the reservations are so large it is not feasible to operate busses or walk-in schools. The attendance is irregular and it has been necessary to maintain boarding schools, especially for the higher grades. The federal government maintains, really, three types of schools; the regular day school, the boarding school on the reservation which is generally a high school, and then the boarding school off the reservation.

The attendance at boarding schools is very carefully screened. We do not allow any child, at will, to go to a boarding school. There are certain criteria which were established. Orphans, children from broken homes and problem children are selected. They go to certain boarding schools in the hope their bad tendencies can be corrected. Then, boarding schools cater to another kind of child, the child who wants vocational training or who wants to go to college and engage in professional work. Sometimes the two types of children are mixed and they get along very well, but in the main, there is a differentiation between the types of education provided at one school and the other.

*By Mr. Castleden:*

Q. Are all those schools operated by the federal authorities that is, the federal government supplies the teacher?—A. That is correct.

Q. There are no schools of, what might be called, the parochial type?—A. There are a number of so-called mission schools operated by various denominations. Some of them are on the reservation and some are nearby. Generally, the federal government does not assist those schools. There are some exceptions. We have made a contract with a number of mission schools because we had no other facilities for children. They were children who were homeless or had to be taken care of in some way. The federal government does provide grants in aid to those schools on the theory that the denominational school provides a home, provides board and the grants provide food and clothing. It is not considered that the federal government is paying for education, but does provide for the maintenance of the child.

Q. What percentage of Indian children would be attending such schools?—A. It is a relatively small percentage. Out of some 60,000 of school age, there are about 4,000 children in the mission boarding schools and about 3,700 in the day schools and other missionary schools. In other words, about 8,000 children are in mission schools.

*By Mr. MacNicol:*

Q. Out of 60,000?—A. Out of a total of about 60,000 children.  
Now, briefly, those are the points, Mr. Chairman, which are in this list.

*By Mr. Castleden:*

Q. There is one other figure which I should like, in regard to education. Have you some figures there which would show, out of your 60,000 children who attended school, how many would go beyond grade eight or ordinary public school?—A. I can give you that, but I think I ought to say we are relatively backward.

Q. That is, in relation to the ordinary state school?—A. Yes. There are many reservations on which high schools have been established within the last ten or twelve years and there are many reservations where the mean, not the average, would be somewhere between four, five and six years of school attendance.

Q. I should like to have those figures later on, if you could get them.—A. I think I can give you something that would be helpful.

The CHAIRMAN: Since it is now approximately one o'clock, we should adjourn. First of all, what is your pleasure with respect to the next meeting? Shall we meet at four o'clock today?

Mr. REID: I would suggest that we meet at four o'clock today.

Mr. CASE: We should meet, if at all possible.

The CHAIRMAN: It is agreed, then, we shall meet in this room at four o'clock this afternoon.

At 1.00 p.m. the committee adjourned to meet again at 4.00 p.m.

## AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Gentlemen, I believe Mr. Zimmerman has completed his presentation. I presume it is now in order for you to put questions to him. You have nothing further to add, Mr. Zimmerman, to your presentation?

The WITNESS: I could possibly continue, Mr. Chairman, but I would suggest you allow the members to ask questions.

Mr. CASE: We could have a question period and then hear from Mr. Zimmerman later, if that was desired.

The CHAIRMAN: Yes. Is it your pleasure to limit the time for questions? Since there are no comments, suppose we commence with ten minutes per member. Then, if we have some time left over, we can deal with something else. There will be a period tomorrow during which you may also ask questions. Would you care to commence with the solicitor?

Mr. CASE: I think the solicitor should take care of anything we miss.

Mr. LICKERS: I will reserve my questions until later

Mr. MATTHEWS: Mr. Reid and I have some joint questions and, if it is agreeable, I will turn over my time to Mr. Reid.

*By Mr. Reid:*

Q. My first question has to do with property. I should like Mr. Zimmerman to tell the committee how the United States handles trusts and trust funds?—A. You mean individual property?

Q. Yes, both that and for the band. For instance, if an Indian sold or rented property, is the money from that placed to his account or is it placed in the band fund or is it held in Washington in an account for the individual or the band?—A. Let us see if I can break that down. If land which belongs to the band or tribe is leased, the money may go to one of two places. The tribes



which have been organized under the Reorganization Act, usually have a local treasurer. They have authority, under their chairman, to hold in their own local treasury funds accruing to the tribe. I make a distinction between funds which accrue in the local treasury and certain other funds which may accrue to the credit of the tribes in the United States treasury. Prior to the Reorganization Act, all tribal income went into the United States treasury and could not be taken out except by appropriation. In recent years we have recommended to congress and congress has approved several times, bills authorizing the withdrawal of tribal or band funds with the consent of the secretary of the interior. This simplifies the procedure. It does not make it necessary to go to congress each time for an appropriation.

Then, when the 1934 Act was passed, it authorized the establishment of these corporations. Since these corporations were established pursuant to the Act, many of the tribes have negotiated their own leases or have sold timber and provisions in these contracts or leases have permitted payment direct to the local tribal treasury. Do I make that distinction clear?

Q. Yes. Just one further question in that connection; supposing an Indian had a piece of property which he rented, we shall say, for \$10 a month to a white person. Would that \$10 go to the local treasurer or would it go to the individual?—A. It would go to the individual.

Q. Direct?—A. That would depend again—I must apologize for what must seem to some of you like conditional statements. However, that is the situation. To every rule there seems to be an exception.

For example, the Crow Indians in Montana are affected by a special act which applies only to the Crows. Under that Act certain Indians were declared to be competent. They are permitted to lease their own land, to make their arrangements and collect their own lease money. Those Crows who are not declared to be competent, receive the money through an agency. The money is paid into the agency by the lessee and is paid out by the superintendent or by the clerks at the agency.

Q. Without contact with headquarters at Washington?—A. That is correct, but there are general instructions, you appreciate, and they have authority under certain regulations which were drafted in Washington.

Q. Have these district supervisors or superintendents bank accounts in the local states?—A. No, they do not have.

Q. How are the funds handled, then?—A. They are all handled through the federal treasury.

*By Hon. Mr. Stirling:*

Q. Is this treasurer a government appointee or a member of the band?—A. The local treasurer is usually a member of the band. We require the treasurer to be bonded by a recognized surety company. We have an approved list of banding companies. We require the local treasurer to take out a bond in an appropriate amount. Most of them are bonded for \$10,000; that is a little safeguard, it is not too much.

*By Mr. Reid:*

Q. We will probably be coming back to the question of trusts—

The CHAIRMAN: May I interrupt at this point? Since Mr. Zimmerman followed the order of reference, I have been wondering if it might not be advisable, in the interrogation of the witness, to keep to the different items in the reference. For instance, the first questions would be on treaty rights and obligations. Then, we would continue with the question of band membership and the liability of Indians to be taxed.

Mr. REID: I should like to ask the questions I have on my list, rather than keep to the one subject.

The CHAIRMAN: All right, if that is agreeable.

The WITNESS: May I answer your question further? As a rule, the local superintendent determines whether or not an individual Indian may lease his own land and receive rent without supervision. As a general rule, unless there is a special statute, as in the case of the Crows, it is the judgment of the local administrator which prevails.

*By Mr. Reid:*

Q. Does the United States give preference in the civil service—I am thinking of the employment of Indians—to veterans?—A. Yes, it does. It is a little difficult to determine sometimes whether your preference is to be given to a veteran or an Indian or an Indian veteran?

Q. Can an Indian sue the government direct?—A. Ordinarily not. Until the Indian Claims Act was passed the tribes could not sue the government without special act of congress. The Indian Claims Commission Act which was passed last year permits the tribes to file claims with the commission for any actions arising prior to the date of the Act. For any actions arising subsequent to the Act the tribes may sue in the regular courts.

Q. What about the sale of liquor to the Indians? This has been quite a question here, Mr. Zimmerman, and I would like to know how you handle it.—A. Well, the Indian liquor law in the United States is very broad. It has been held in one or two cases that it even includes 3·2 beer, if you have heard of that.

Mr. MACNICOL: We have heard of the 4·4.

The WITNESS: There must have been a depreciation over on the American side. The fact of the matter is that the Indian liquor laws are not enforced and in my judgment are not enforceable. The police force we have is not adequate to do the job and neither the Indians nor the white population on the whole want the law to be enforced. We have proposed to congress, and there is pending in congress at this time, a bill which would remove all the limitations on Indians away from the reserve. An Indian away from the reserve would be treated just like any other citizen. He would be allowed to buy liquor and if he got drunk he would be subject to state law.

Mr. REID: He could go into a cocktail bar?

The WITNESS: Surely. We have a silly situation in the States. In Illinois, where my office is, we have a state law that prevents discrimination and a local bartender who refuses to sell liquor to an Indian is subject to a state fine under state law. If he serves the Indian he is subject to a fine under the federal law.

Hon. Mr. STIRLING: What does he do?

The CHAIRMAN: How do you get around the law?

The WITNESS: One lawyer, for one of those bands, came to me and asked for a written opinion. I told him I could not do that but that he should use his brains. I said that in my judgment no jury in Chicago would convict a bartender for serving liquor to an Indian. I think our proposal to congress is a first step. There is a great resentment on the part of the younger Indians against the liquor laws. I should hope that ultimately the law might permit of a local referendum.

*By Mr. Reid:*

Q. Have the local police the right to go on Indian reserves and administer law and order?—A. No, sir. The local police have no jurisdiction.

Q. Who has jurisdiction? What police force has jurisdiction?—A. Well there again, traditionally, the Indians have their own courts. Now on some of the reservations we do have Indian courts with regularly elected judges and with Indian police, but on some of the reservations there are no courts. The notable situation is that which exists in New York state; which situation is admittedly bad. The Indian courts do not function. They have the Peacemaker Courts in New York state but that does not cover the minor crimes and misdemeanors. The court says the state has no jurisdiction and the federal government maintains no police. There are certain areas like the New York reserve where you have a no-man's-land. Generally, except for the ten major crimes I mentioned this morning, starting with murder, manslaughter, arson, and I forgot what the others are, but there are ten of them, all other crimes and misdemeanors are subject to tribal law except in so far as tribal law has been superseded by a code. I will say more about the codes in a moment but tribal law still prevails. Now we have adopted and prescribed a federal code on most of the reserves and that code does prevail now except in the cases where a tribe has modified it and has adopted some other system.

Q. Are the Indians in the United States under one department and does that department include health and service and everything else?—A. Yes sir, they are. There is a minor detail but it does not change the answer. We do get assistance from the United States Public Health service which lends us certain officers who direct our medical work, but administratively they are responsible to the commissioner of Indian Affairs.

Q. Would you care to say a word about hunting and fishing rights? That is a very contentious subject here.—A. It is a very contentious subject everywhere, in my judgment. The Indians are very insistent on maintaining those rights. In the United States, my fear is that the Indian will need to curtail his privileges. I think, in the interests of conservation, it is desirable that they conform at least to the same practices that are applied on forest lands and other hunting and fishing areas. The question of their treaty rights becomes very, very, difficult there. The state officials, almost without exception, are concerned about the abuse of the rights which the Indians do have and do enjoy.

Q. Do you have any relief system to augment the large expenditure as mentioned by you, apart from the general appropriations?—A. Included in our general appropriation is a small item, it is almost negligible. This year we have about \$250,000 for direct relief. We do have some Indians, I should say between 3,000 and 4,000 who are not eligible for the old age benefits and certain social security benefits. They are not eligible for any of the other regular benefits and congress allows us this money. As far as it is possible we make direct cash payments to them.

*By the Chairman:*

Q. Could I ask on that if they are given the old age pension?—A. Indians are eligible for the old age pension but it frequently happens that you cannot prove the age of the Indian and the state people who administer that general plan will not accept what evidence there is.

Q. What year did they become eligible? When was that law passed that made it possible for them to obtain the benefits of the old age pension?—A. I could not give you the date.

Q. Was it recently, say ten years ago?—A. About ten years ago.

Mr. HARKNESS: Who provides the money, the state, or the federal government?

The WITNESS: The state and the federal government provide equally.

Mr. HARKNESS: For Indians as well as white people?



The WITNESS: Yes. Let me explain that the state administers the plan. The plan, and the scale of payment, is administered by the state but the federal government matches those payments. Now, I have to confess that in certain states we have had difficulty in persuading the state that they should make contributions to the Indians.

Mr. HOEY: But they do.

The WITNESS: Well in several states they do not.

Mr. HARKNESS: In that case, does the federal government provide the whole amount?

The WITNESS: No, sir. Either we have had to rely on the direct relief or the money that we have obtained for direct relief, or we have to rely on the tribe to take care of its own indigents. As a matter of policy, there is no question in my mind but what the states are responsible under the law. We are in the process of negotiating and trying to persuade the states. The burden is very unequal for the states. The largest Indian populations are in the poorer states. Perhaps there is some equity in the plea of Arizona or New Mexico, for example, that they cannot provide for their Indian population as easily as New York state can where you have 6,000 or 7,000 Indians in a population of several million. In Arizona the ratio of the Indian land to the total taxable land base is much greater, and there is a problem which may be solved by new legislation making the contribution of the federal government flexible. That has been proposed not only on account of the Indians but on account of the general population. Some such plan of that kind I think will probably be put through Congress. That would help the Indian materially.

*By Mr. Reid:*

Q. You mentioned something this morning as to the total appropriation being \$44,000,000?—A. That is right. That is what we hope to get.

Q. Are there any other moneys spent apart from that such as band funds, or is that the total of the moneys spent in a year?—A. No. This year we will spend a little over \$2,000,000 out of band or tribal funds. Several of the tribes pay almost the total cost of administration out of their tribal income.

Q. That works out at about \$105 or \$106 per capita taking your Indian population. If I may have the permission of the committee to put it on the record—I think it would be useful—I should like to ask Mr. Hoey how that compares with the Canadian figure. I think it would be useful to have that. With the permission of the committee I should like to ask Mr. Hoey that.—A. I think that is fairly close. The average for the United States has been running around \$100 per capita. It varies perhaps \$5 either way, but it runs in that neighbourhood.

*By Mr. Castleden:*

Q. That is exclusive of what the different states provide by way of assistance?—A. Exclusive of what they might do. That is the money appropriated to the Indian service.

Q. By the federal treasury.—A. Out of the federal treasury.

The CHAIRMAN: Would you care to answer that, Mr. Hoey?

Mr. HOEY: Yes. I took a rough figure. Our present estimates before the House plus supplementary estimates including medical but exclusive of family allowances will just be a shade under \$100 per capita. With family allowances it is about \$120 per capita.

*By Mr. Reid:*

Q. I have one or two more questions regarding schools. Do the Indians contribute to school education or do they just pay income tax and sales tax on what they earn off the reserve?—A. Indian lands generally are not taxable.

Q. They are not taxable?—A. There again in a few cases the Indians pay for the cost of operating their own schools, but that is the exception.

Q. Is the curriculum the same in all federally operated schools?—A. I did not catch the first part of your question?

Q. Is the curriculum the same?—A. No, the curriculum is varied.

*By Mr. Hoey:*

Q. Do you follow the states?—A. In general we follow the state curriculum, particularly in the higher grades, but there has been considerable emphasis in recent years on local factors. An Indian in southern Arizona who is being trained to live in a semi-tropical or semi-desert area is taught to do certain things that would not fit in a mountain area or in the northern plains area. There are differences in the curriculum based on local living conditions.

Q. What grades have you in the public school, and what is the age of the school children?—A. Indian children are usually about a year behind white children. A non-English speaking child does not usually make the adjustment for a year or more after he is in school. There are exceptions to that, but generally the Indian child who graduates from grade school or high school is a year or two behind the white child of the same age. I am not sure I answered your question. We maintain schools only through high school, or twelfth grade, whichever you call it.

*By Mr. Hoey:*

Q. At what age are they enrolled?—A. The normal school age is from 6 to 18.

*By Mr. Reid:*

Q. Can you tell us briefly anything about the Metlakatla Indians? That will end my questions for the moment. We have heard such good reports—at least, I have—about the Metlakatla Indians, and I wondered why we could not duplicate that all over this country.—A. There are some reasons why you cannot duplicate, but there are parts of Alaska where we are duplicating. The Metlakatla Indians were given a reserve which included valuable fishing grounds. Their right to those fishing grounds was contested in the courts and was affirmed. The basis of their economy is really fishing. They have been very fortunate in recent years in having an exceedingly competent manager who is a white man. Their fishing operation has been very profitable. They have made a good living individually, and the band has accumulated a substantial surplus from the operation of the cannery.

*By the Chairman:*

Q. Do they pay taxes?—A. They have voluntarily.

Q. On the fish?—A. There is a territorial tax on each case of fish, and the Metlakatla Indians as a matter of public policy decided to pay taxes on the pack. Their annual income varies greatly depending on the pack. They have some other business. They have a sawmill. Recently they have been negotiating with the war department for the operation of a flying field or air field. During the war the army took over a portion of one of the islands and established an air base, and the Indians now want the control of that and hope to lease out various concessions.

*By Mr. Reid:*

Q. Are they really on their own?—A. They are really on their own economically, and I see no reason why they should not continue to be. We still maintain a government school. I have hopes in the near future they will convert that into

a public school. We have been talking about it, and it is their intention sooner or later to have it converted, but for the moment they have asked us to continue to maintain the school. There is one other community in Alaska that is beginning to follow in the footsteps of Metlakatla. About eight years ago we loaned \$180,000 to the community of Heideberg. They have paid off that loan and own their plant now without any loan against it. I see no reason why that community should not follow in the path of the Metlakatla Indians.

*By the Chairman:*

Q. What plant was that?—A. Heideberg.

Q. What plant was it?—A. A salmon cannery.

Mr. CASE: Mr. Chairman, I have quite a number of questions but I hope they will not require such lengthy answers.

The WITNESS: If my answers are too long choke me off.

The CHAIRMAN: I think they have been most interesting.

Mr. CASE: The time factor is an important one.

The CHAIRMAN: On the question of time I do not think we should be too strict. We want to get all the information we can and be as fair as possible.

Mr. REID: I do not think that the witness should be held down. I think if it needs an extended answer we should have it, and it should not be taken off the time of the questioner.

Mr. CASE: I want the witness to take all the time he needs in answering. What I meant was that my questions were of such a character that perhaps they would not require long answers.

*By Mr. Case:*

Q. I understood you to say that you have 420,000 Indians?—A. Approximately.

Q. Is that the number of Indians on reserves, or does that include all your Indian population?—A. That is the total on the tribal roll.

Q. So that you could lose track of your Indians if they have left the reserve?—A. Some of them are not living on the reserves.

Q. Can you tell me the number of tribes you have?—A. About 200 recognized groups.

Q. I understood you to say this morning that where they have the franchise it depends upon the state, that is, their qualifications depend upon the state?—A. That is correct.

Q. In places where they have the franchise are they eligible to run for public office?—A. Yes, sir; they are.

Q. You have done pretty well with the schools. What are your principal religions among the Indians? Would I be right in saying they are generally Protestant, Catholic, and aboriginal; would that cover it?—A. That would cover practically the whole.

Q. Is there any demand among the Indians for their own religion?—A. Oh, yes.

Q. Do you recognize that?—A. Yes, we do. We do not interfere with that.

Q. You do not interfere with it?—A. No. That, incidentally, is a change from the policy prior to 1933.

Q. As far as you are concerned you have had an opportunity of observing, and the results are encouraging?—A. I think so.

Q. You find nothing untoward; they are contented with their religion?—A. Yes.

Q. Do you recognize what is referred to as "blanket marriages" as being binding?—A. Yes. We have generally recognized them. We call it "Indian custom" marriage.



Q. Yes?—A. But the trend is markedly away from that. Many tribes have themselves adopted ordinances regarding marriage in a state court or by a priest; that is very definitely the trend.

Q. But for purposes of inheritance and legally a blanket marriage would be recognized in your courts?—A. Yes, sir.

Q. Are your Indian chiefs and council elected by members of the band?—A. Almost everywhere they are elected. There are still a few older men who are so-called hereditary chiefs; but the answer in general is that the chiefs—or in some cases he carries the title of president—are elected.

Q. Now then, you spoke of the authority of the chief in council. I am wondering if I could compare that with our understanding of a local municipal council; that is, do they have local autonomy on the reserves, can they decide with respect to schools, roads and so on in their own right, or is their power limited to a recommendation?—A. It has been our practice to secure the approval of the tribal council before we build roads or anything of that kind, or before we erect a school; but ordinarily, where federal funds are used, the final determination would rest with the administrative officers.

Q. But in most instances you would consult the tribal band?—A. That is correct.

Q. That is you like to encourage them to develop their own initiative and responsibility?—A. That is it, and they can do things on their own responsibility. For instance, I have in mind the construction of a school where they have supplemented the federal grant out of their own funds.

Q. You spoke of surrendered lands. You mentioned this morning that you had given certain rights to individuals and they in turn had secured lands. I think you said the white people bought the best land?—A. That is right.

Q. Does the tribal council have anything to say about that at all? Is it a tribal or an individual decision?—A. That is entirely an individual decision. More recently the tribes are realizing the precariousness of their situation and a number of tribes have called on us to have the power to issue patent-in-fee or to refuse it. They call on us not to issue any more patents-in-fee. It is noticeable that more tribes are now anxious to buy fee tracts, and they have bought back some of the lands that they have lost.

Q. Has the state or federal authority any claim on mineral rights found to exist on reserves?—A. Only in one or two cases. Ordinarily the mineral rights belong to the Indians.

Q. Do you have a great deal of intermarriage with whites?—A. I think the trend at the moment is definitely marked in two ways. The Indians with a very small degree of Indian blood are mixing with the whites, and there is also a marked trend of Indian marriage with other Indians of a higher degree of blood. There is a sloping off process which is apparent and at the same time there is an inbreeding process going on.

Q. Do you find a certain amount of national pride involved?—A. I think there has been a very marked change in attitude.

Q. They are getting away from this feeling of inferiority?—A. They are not ashamed of being an Indian.

Q. Where do you find progress most marked—and I am going to qualify my question in this way—near the larger white settlements or are they making equal progress in the more isolated environments?—A. Ordinarily I would say the presence of a large white settlement is detrimental.

Q. Detrimental?—A. Yes, sir. I would say the most marked progress has been made by the Indians who fifteen years ago were considered most backward. We cannot offer any rational explanation of that.

Q. Well, we found that tendency on our visite through the maritimes; where they were near the settlements they seemed to be adopting the white man's ways and making greater progress.—A. I could supplement that later by giving figures.

Q. But the public school may be a factor since you have fifty per cent of your Indians going to public school?—A. The public school is undoubtedly helping in making adjustments.

Q. Are all the Indians eligible for civil service appointment?—A. Or, yes.

Q. They are?—A. Yes.

Q. The same as any other citizen?—A. Yes.

Q. You mentioned this morning that you have 10,500 employees looking after 420,000 Indians and about 6,000 of these employees are Indians. Now then, you also mentioned that you had about 300 employees in Chicago?—A. That is right.

Q. How many employees in Chicago are Indians?—A. I do not have the exact number.

Q. But approximately; I just want to know that because it enters into the picture.—A. About 130 or 140. I do not have the figure broken down.

Q. But they are eligible, just the same as other Indians?—A. Oh, yes.

Q. This might be a very difficult question but I would like to have some idea because it is of interest: out of your population of Indians do you know how many are doctors?—A. No, sir; I cannot answer that.

Q. Or nurses?—A. I cannot give you that.

Q. Or teachers?—A. No. I could not even approximate a guess on that. We have more teachers than any one group; that is, more Indians have gone into the teaching field. There are an appreciable number of nurses of Indian blood in the service and we have graduated out of the service a good many nurses. At one time we maintained a small school in Oklahoma for nurses. We did not provide a full nursing course but we did provide a short course with the idea that we could use Indian girls as practical nurses.

Q. Now, you have some knowledge, of course, of some Indians who are doctors?—A. I know of one or two doctors. I know there is a sprinkling of Indian lawyers.

Q. An Indian clergyman?—A. Yes.

Q. So, the Indians are taking up the professions to some extent. Would you know how many Indians you have in the entire civil service in the United States?—A. No, I would not.

Q. Do the Indians pay income tax on money earned on the reserve?—A. The Indians pay a federal income tax on all income except certain specified income from trust property. The Indians who work on the reserves, such as those employed by the federal government, would be subject to the payment of federal income tax.

Q. But if the money was derived from band funds or trust funds, he would not pay on that portion?—A. That is right.

Q. Are your Indians subject to military service or to the draft?—A. Yes, they have been. They were not in 1916 but they were in this last war.

Q. Just one final question, are the cattle and livestock bought and sold on the various reserves subject to the permit system?—A. Yes, they are.

Q. Which is administered by the superintendent of Indians?—A. That is correct.

Q. So, the Indians are protected in that way?—A. The superintendent has discretion in the removal of whatever restrictions there are.

Q. From your personal observations do you think that permit system is a good thing for the protection of the Indians? Would you care to comment on that?—A. We have made up our minds—I say “we”, but those of us who are concerned with that policy think the restrictions should be relaxed. There are Indians who feel, and I think properly, if they borrow the money to buy, let us say 100 head of cattle, and over a five or six year period they pay off the loan, they should have the right to dispose of the remaining livestock if that is their desire. The Indians believe they should have title, free and unencumbered.



*By the Chairman:*

Q. After the payment of the loan?—A. After the payment of the loan.

*By Mr. Case:*

Q. That would seem reasonable. It has not been the policy to administer that so as to interfere with the Indians who are selling or trading amongst themselves. In other words, an Indian can still sell to an Indian on the reserve without a permit?—A. No, he is supposed to get a permit.

*By Mr. Castleden:*

Q. You mentioned this morning your administration in the United States recognized the treaties you have made with the bands and tribes?—A. Yes.

Q. You have no blanket Act covering the Indian administration? How do you make sure the various parts of each treaty for each particular tribe are properly administered?—A. Well, that is a difficult question to answer. The best answer is, if we do not observe the treaties the Indians call our attention to that fact.

Q. How would the Indians call your attention to it? What avenue of approach do they have to you?—A. Most of the tribes are well organized. They have elected councils which are authorized to speak for them. Some of them have attorneys to speak for them. Where they have attorneys of their own, these attorneys are paid by the band or tribe out of tribal funds.

*By the Chairman:*

Q. Do they have an elected council?—A. Practically all have elected councils.

*By Mr. Castleden:*

Q. To whom would the Indians appeal?—A. If they appeal to us and the administrator is not successful, they would appeal to congress. They are doing so.

Mr. HOEY: Initially, do the Indians appeal to the superintendent or to the man to whom we refer as the agent?

The WITNESS: Yes.

Mr. HOEY: How does that appeal start? Does it go first to the local man?

The WITNESS: Most of the treaties, to be candid about it, are a little vague. They say the United States is obligated to provide a blacksmith, a teacher, a doctor and so on, without specifying too carefully how many of each. You find rare treaties, such as the Navajos have, which provide that one teacher shall be placed on the reservation for each 30 children. Actually, the provision by congress has been more, in most cases, than the bare language of the treaty would require.

*By Mr. Castleden:*

Q. You make every effort to live up to those treaty obligations?—A. Yes, there are also certain cash payments which are still being made. There is never any dispute about those. Congress makes those as a matter of routine.

Q. Can you outline the powers of administration which are left with the tribes or bands on the reserve? For instance, they have the election of chiefs; they have control, I understand from your evidence, of the membership within the band. To what extent do the bands control the administration of their funds, or the economic development within their own band?—A. Those tribes which have organized under the 1934 Act may have local funds over which the federal government has no control whatever. The Blackfeet tribe in Montana,



for example, has an elected council and an elected treasurer. The income of this tribe has been running in the neighbourhood of \$300,000 a year in recent years. This money is handled entirely by the tribe. We have no control. It never comes into our hands.

Q. Would you say they were making a good job of handling those funds?—A. There is some waste. My view of that is simply this; we recognize that some of the tribal councils have suddenly acquired power and the right to dispose of large sums of money. They are making mistakes, but I think it is incumbent on us, so far as we can, to stand by and help them.

Q. Advise them?—A. Advise them and help them; call attention to those mistakes and trust that, in the long run, the good judgment of the Indians will prevail. I have in mind the so-called president of one of the tribes who stole money from the tribe for about two years. We knew about it and we protested to the council. The council knew about it and the council finally took action on its own. They impeached the man and he left the reservation: I think, in the long run, it was much better that the council should finally come to the point where it could not stomach the whole business and took action independently. I think the Indians grew more in that period than they would have grown perhaps in ten years of advice from us.

Q. I agree with you; I think that is very good. Supposing an Indian band has some timber on the reserve, do they have the power to enter into leases, make agreements for its sale or lease to an operator?—A. The band is the principal to the contract. The contract is then approved by the government. The contract actually, is made between the tribe and the logger. So far, I think in every case I can recall, we have approved the contract.

Q. What about oil rights and mineral rights if those elements are found on the reserves?—A. Again, the Blackfeet tribe has been getting this income mostly from oil. The income is derived from the disposal of those rights for drilling and leasing.

*By the Chairman:*

Q. That is the band or the individual?—A. The band has, those are tribal rights.

*By Hon. Mr. Stirling:*

Q. Subject to the superintendent's approval?—A. Subject to our final approval. This depends entirely on the text of the constitutional charter under which that particular tribe is operating. In the case of the Blackfeet tribe, they can suspend the secretary's control if they want to do so.

*By Mr. Castleden:*

Q. Under that Reorganization Act?—A. Yes, they can relieve themselves of our supervision on that particular point.

Q. Granting of citizenship to the Indian in the United States in no way affected his rights or privileges on the reserve?—A. That is correct.

Q. He gave up none of his treaty rights or privileges on the reserve?—A. That was alleged to be an act of grace on the part of congress.

Q. I think there has been a misunderstanding in that connection. You mentioned some misunderstanding about that this morning?—A. When war broke out this last time, there were some Indians, not very many but few, who took the position that citizenship had been forced upon them. They had not been consulted. They said, "Why should we be subject to the draft? We have some other disabilities and we are not subject to the draft." This was not the attitude of the Indians as a whole. They responded remarkably well. Many of them volunteered and their record with us, just as I think with you, is extraordinary.

Q. Yes, we have had a very good record in Canada. The difference in Canada is that under some treaties the Indians were granted immunity to military call-up while in other treaties there was no such clause. Sometimes, therefore, there was dissatisfaction over the sort of blanket call-up. However, the Indian volunteers in Canada have a very fine record. Would you say the granting of citizenship has helped the Indian? Has he progressed more since he has been granted citizenship or since 1924 than he did under other forms of control?—A. I cannot answer that categorically as I do not have any direct knowledge prior to 1933. I would guess that it has been helpful. It has certainly changed the status of the Indian so far as the local community is concerned. It has changed the attitude of the state and state officials towards him. He is a citizen and the state has, whether willingly or not, been compelled to recognize that fact.

Q. At any rate, he has someone in high places who will be talking for him. With regard to the administration of Indian reserves, you have run into, apparently, an unfortunate situation where the granting of permits and allocations has been dividing up the reserve. What do you do in the case of a reserve which becomes so depleted that there is insufficient good soil to make it possible for the Indians to secure a decent livelihood?—A. That is our great current problem.

Q. What do you do to meet it?—A. We have not met it. We are seeking several solutions. One obvious solution is that some of the Indians must leave the reserve and they are leaving the reserve. This is true particularly since the war. The war caused many of the Indians to go out and work for high wages in war industries. They became accustomed to a different standard of living. They will not be satisfied with the lower standards which will be maintained on some of the reservations.

I think another thing we are doing and hope to do more, is to stimulate industries on the reservation. It is quite possible we can start small manufacturing enterprises of various kinds.

*By the Chairman:*

Q. What do the Indians lose when they go off the reserve?—A. You mean the individual?

Q. Yes, or the returned soldier, for instance, or the person who has been off the reserve during the war?—A. He does not lose anything. He does not give up his membership. He still remains a member of the tribe.

Q. There is no inducement then for him to remain on the reserve?—A. Except that is his home and his family is there; all of his ties are there.

*By Mr. Castleden:*

Q. Do you think leaving the reserve tends to assist him in developing? Is it a good influence or a bad influence?—A. You mean leaving temporarily?

Q. No, leaving his reserve. Say two Indians have gone through school and reached probably grade VIII or grade IX, perhaps in the technical school, and one Indian stays on the reserve and the other moves to some town and takes part in industry. Which would you say makes better progress?—A. I do not see how I could answer that question. Obviously the Indian who goes to the city and makes his adjustment has solved the so-called Indian problem for himself. On the other hand our experience has been that, certainly during the last few years and particularly during the war, of the Indians who go to the city a large percentage fall by the wayside.

Hon. Mr. STIRLING: What was that?

The WITNESS: A large percentage fall by the wayside. A large percentage cannot make the adjustment. I cannot give you any figures on it but it is diffi-

cult for most of the Indians to adjust themselves to urban conditions. As far as the Indians in the United States are concerned the majority of them have not reached the point where they can adjust.

Mr. REID: Would that be due to a sentiment against them in the cities?

The WITNESS: I beg pardon?

Mr. CASTLEDEN: Discrimination?

The WITNESS: Yes, there is some discrimination and generally they have to live in the poorer districts. They are very likely to be the first ones laid off if business drops a little.

Mr. CASTLEDEN: Now concerning education I would ask this. You say you have about 60,000 children in the schools. How many of those would reach grade IX? Have you any figures as to the grades? Can you give us a picture of the progress? You said that they were generally about one year behind the children attending white schools.

The WITNESS: I do not think I can give you a breakdown of that. I might be able to get it for tomorrow but I do not know offhand.

The CHAIRMAN: Probably you could get it for us tomorrow.

Mr. CASE: Is it compulsory for children to attend schools?

The WITNESS: Most states have compulsory education statutes and the secretary of the Interior does have authority to make those statutes applicable to Indian children. We have not enforced attendance in many cases because we have not had facilities. We have not had the school buildings.

*By Mr. Hoey:*

Q. In that connection, might I be permitted to ask a question? Can you give us any idea, Mr. Zimmerman, of the number of children of school age for whom you have not been able to provide an education?—A. This would be a guess, but about 16,000.

Q. Where would those Indians live?—A. Most of them are in the southwest.

Q. Are they in remote regions?—A. Most of them are on the Navaho reservation.

Hon. Mr. STIRLING: Are they nomadic? Is it because they are moving about and you cannot catch up with them to teach them?

The WITNESS: That is partly the answer but it is only part. They are not nomads in the sense that most people would use the word. They may have a winter home and a summer home and they need to move their flocks. If we built a school at a location assuming that they would be there for the summer school then they might move off in the winter and there would be no school. The primary reason is, however, that there are more children on the reservation than we can house at any time.

*By Mr. Castleden:*

Q. Do you have any difficulty in obtaining teachers, qualified teachers?—A. Generally not.

Q. What would you pay them? Have you a regular salary scale?—A. Yes, their salaries would range from approximately \$1,900 to \$2,700 or \$2,800.

The CHAIRMAN: Is that for public schools?

The WITNESS: No, that is for our schools, government schools.

*By Mr. Castleden:*

Q. Yes, government schools. Those are residential schools and the state would have their own schools.—A. Yes.



Q. What wages would you pay to your superintendent, who corresponds to our agent?—A. Their minimum salary would be around \$3,600 or \$3,700 and they would go to about \$9,000.

Q. And you have some of these superintendents handling more than one reserve?—A. In a few cases, yes. A superintendent may have a number of reservations.

Q. And where he has to handle a number of them you place instructors, farm instructors, and other advisors there?—A. That is right. There may be almost any kind of employee on the other reserves. For instance in the state of Minnesota we have a superintendent there of what we call the Consolidated Chippewa jurisdiction. There are six or seven reservations within the state. There are schools and on each reservation there may be other employees.

Q. Another question that I wanted to ask was regarding health. I see that you have a large expenditure for health and education. Have you any figures to show what returns you are getting for the large expenditure on health? Is your death rate and infant mortality steadily going down and is your Indian population on the increase or on the decrease?—A. The Indian population is on the increase. It is increasing a little more rapidly than the white population.

Q. A little more rapidly?—A. Yes.

Q. That is since when?—A. In the last twenty years. The average is not quite as high, but it is between  $1\frac{1}{4}$  and  $1\frac{1}{2}$  per cent per year. That is a little bigger increase than the average of the white population. The birth rate has been increasing. The curve is still a little on the upgrade and the death rate has been decreasing. We still have an excessive number of deaths among infants.

Q. Larger than the white?—A. Much larger.

Q. Can you give any figure as to the comparison? Could you give a relative figure?—A. I would rather, if you want those figures, get them for you and give them exactly.

Q. Could I get those figures on infant mortality and I would like to get the death rate from tuberculosis?

Mr. REID: You also might make a statement tomorrow about your hospitals?

Mr. CASE: Do you maintain hospitals on the reserve?

The WITNESS: Yes, we do, and we also make contracts with private hospitals and state institutions to supplement the work in the government hospitals. We do not have government hospitals on every reservation.

*By The Chairman:*

Q. Do you subsidize hospitals?—A. Do you mean private ones?

Q. Yes.—A. Yes, we make contracts, usually.

Q. How do you make contracts? What are the general terms?—A. Generally it is on the basis of so much a day for each patient.

*By Mr. Castleden:*

Q. Is your long range policy one of assimilation?—A. I do not like the word assimilation.

Q. What would you call it?—A. The answer is yes. It is a matter of adjustment, of acculturation. In other words I think we believe that the Indian can still remain an Indian and be adjusted to his white neighbours. He can fit into the general scheme and preserve some parts of his peculiar culture and yet live happily, and be adjusted to his environment. I think the basic point is, we do not believe in applying pressure to force him into a pattern.

Q. No, I think it should be a gradual development of himself to bring out his capacity.

*By Mr. MacNicol:*

Q. Mr. Chairman, I too wish to make my questions short which will enable Mr. Zimmerman to give short answers. Before asking my first question I want to say that your answers, Mr. Zimmerman, have been most helpful. The questions so far asked have also been very helpful. Between the two we have got much information which we have been looking for.

My first question is this. You said teachers received \$1,900 to \$2,700 a year. Is that in a small school?—A. Well that depends on the size of the school and responsibility of the teacher.

Q. The minimum is \$1,900?—A. About that. I think it is \$1,960.

Q. Does that include lodging?—A. That does not include lodging.

Q. How are the teachers then, taken care of in that respect?—A. The government does provide quarters but the teacher pays for them.

Q. Out of the salary?—A. Yes, there is a deduction made out of the salary for quarters.

Q. Are there any Indians in the legislatures or in congress?—A. There has been only one Indian in congress that I know about but in the various legislatures there are some Indians. There are some in Oklahoma and there are two or three in the Alaskan legislature.

The CHAIRMAN: Was there not one a vice-president?

The WITNESS: Yes, there was Vice-President Curtis, some years ago.

*By Mr. MacNicol:*

Q. If the band council selects some place for a school or a new hospital is that selection final, or can the agent do as he pleases about it? Can he select the spot and tell the council that they have to accept his decision?—A. You mean as to the location?

Q. Yes?—A. Ordinarily we have a plan for each agency. The plan is made well in advance so that we know today where we will build a certain structure if we get the money in four or five years from now.

Q. The agent must pay some attention to the council?—A. Yes.

Q. What is the connection between the state and the federal government in the Indian administration if any?—A. That is a hard question to answer because the states vary so much in their attitude. Some of the states have assumed almost full responsibility for the Indians within their borders just as they do for any other citizen.

Q. Perhaps that applies to New York state.—A. Yes. The New York state provides schools and the federal government has nothing to do with the schooling.

Q. Yes. I made some investigation there and I found that New York state pretty well looks after their Indians. Did I understand you to say, Mr. Zimmerman, that preference is given to qualified Indians and to your returned veterans for employment in the Indian service?—A. That is correct.

Q. Preference is given?—A. Yes sir.

Q. That is fine. How many, if any, of the five directors are Indians?—A. None of the five are Indians.

Q. Is the operation of the Indian hospitals looked after by the Indian department?—A. Yes sir, it is. The money is appropriated to us. I think perhaps I said earlier that the public health service does lend us or assign to us certain top medical assistance. The director of our health service, for instance, is on loan to us from the public health service which corresponds to your Department of Health.

The CHAIRMAN: The Department of Health and Welfare.

*By Mr. MacNicol:*

Q. The hospitals are then run by the Indian department?—A. Yes.

Q. I am glad to hear that because we have just stepped on something that we are trying to block in this country if we can.—A. I do not want to get into your battle.

Q. Well we have an Indian department and a Health department, and the Health department has taken over some of the dealings of the Indian department and I, for one, am going to have it switched back to the Indian department if I can. I probably will not have any influence but I am going to try.

Now many of my questions have been answered but there is one you might answer again. Can a tribe sell any Indian reservation land? Say a tribe has 100,000 acres, can the band council sell 10,000 acres of that to anyone it likes?—A. It has no power to sell except with the approval of congress.

Q. How are the superintendents appointed? They are equivalent to our Indian agents here?—A. They are appointed by the secretary of the Interior acting on the advice of the commissioner.

Q. Appointed by whom?—A. The secretary of the Interior, the head of the department.

Q. Acting on the advice of whom?—A. Acting on the advice of the commissioner. That is just exactly as your minister would act on the advice of Mr. Hoey.

Q. Yes, well here the agents are appointed now by the civil service commissioner. Is that not the procedure, Mr. Chairman?

The CHAIRMAN: They are.

The WITNESS: In the United States they are all civil service appointments in accordance with the civil service regulations.

*By Mr. MacNicol:*

Q. You answered this question before, but I would like to hear it repeated. Take, for example, the band council of a tribe like the Blackfeet who have a lot of money in the United States and they have a lot of money in Canada. Can the band council of the Blackfeet reserve in Montana dispose of its own funds for the band benefit without asking consent of Washington?—A. That is correct. That is they can dispose of those funds which accrue to the local treasury or which have come into the local treasury.

Q. I think the right way to bring up Indians is to give them a hand in the administration of their own affairs, which is not done here very much. Did I understand this morning that you said the superintendent selected the curriculum of education on a reservation?—A. No, I hope I did not say that.

Q. How is the curriculum selected?

*By Hon. Mr. Glen:*

Q. As to the matter of band funds, do you refer to both principal and interest?—A. It might be either one.

Q. They can dispose of the principal and the interest?—A. Yes.

*By Mr. MacNicol:*

Q. My question was this. What authority names the curriculum that is to be used by the teachers of the Indian schools throughout the United States?—A. The broad outlines of the curriculum are laid down by a professional staff in the Chicago office, but the local educational personnel has authority to vary that to fit local conditions. For example, on most of the larger reservations there is one man in charge of the education program, and he would have the authority to make variations, to depart from the standard plan.



*By Mr. Reid:*

Q. In other words, it maybe higher in one state than another according to the life of the people there?—A. That is conceivable, but it is not intended to be higher. It may be just that the local problems of land use, or whatever it is that may be of concern to the people, need attention in the school in one place.

*By Mr. Castleden:*

Q. You do not follow the state curriculum?—A. An effort is made to follow the general school curriculum.

Q. Of that state?—A. Of that state, but we are not rigid about it.

Q. In the state schools?—A. In the public schools.

Q. You said almost half of your children were attending state schools?—A. Those are public schools.

Q. They would take the ordinary curriculum of the state?—A. They would follow the state plan.

*By Mr. MacNicol:*

Q. I was going to supplement my question by saying that on the reservation from which our counsel, Mr. Lickers, comes, the Six Nations band in Ontario, one of our prominent bands, the same tribe as the Iroquois in New York state, the Mohawks, the Ondreigas, the Cayugas, the Oneidas, and perhaps the Tuscaroras, they have six or seven schools. The other day I asked Mr. Lickers if each school was operated by itself and he said, "Yes." In your country there would be a superintendent above those six or seven teachers to direct. I think that is a good program.—A. It costs a little more money.

Mr. LICKERS: We have that now on our reserve.

Mr. MacNICOL: The other day you told me that the schools were operated by themselves. Do you have a superintendent for the reservation?

Mr. LICKERS: We have a principal who was appointed at this last term.

Mr. MacNICOL: That covers the six or seven schools?

Mr. LICKERS: Yes. As a matter of fact, he will be here on Thursday.

Mr. MacNICOL: I am glad to know that. Our Six Nations Indians have done a wonderful job in Canada. Other reservations have done very well, too. I did ask about the operation of the hospitals.

*By Mr. MacNicol:*

Q. I understood you to say you had a special fund of \$250,000 to be used for displaced Indians, Indians off the reservation, or people who are Indians and have nothing to do with the plan. Am I right in that? Let us say that a Blackfoot Indian has been off the reserve for a few years. He would still be an Indian. Let us say he had got into distress. I got the impression you had a fund to take care of such cases.—A. We have an annual appropriation for relief. I think that is what you have in mind. That is for direct relief.

Q. On the reservation?—A. On the reservation.

Q. What about Indians who have left the reservation?—A. Ordinarily we do not do anything for them.

Mr. CASE: Before Mr. Stirling commences there is one thing that might be borne in mind. I think your superintendents compare with our inspectors. I do not think they compare with our agents. We have an agent on every reserve. You have five superintendents. I think they compare with our provincial inspectors.

Mr. CASTLEDEN: We have not an agent on every reserve.

Mr. CASE: We have them on a great many of them.

Hon. Mr. STIRLING: Is that so?

Mr. HOEY: We have 100 Indian agents, and I think there are approximately 2,300 reserves.

*By Hon. Mr. Stirling:*

Q. Mr. Zimmerman, at the beginning of your historical remarks you appeared to commence with the year 1871. Was that the time when the 140,000,000 acres were set aside for reserves, or were there reserves before that date?—A. There were some reserves set up before then. I think I took the year 1871 because that was the year in which Congress said that hereafter they would make no treaties with the tribes.

Q. And the Indians were then collected into the reserves?—A. They had reserves even prior to that time. Some of the reserves go back to revolutionary times. There were Indian reserves in New York, were there not, even in colonial days.

Q. Then, there are 300 officials at headquarters and 10,000 in the field?—A. About that.

Q. How many of those come and go with the change of government?—A. Very few. As a matter of fact, except the commissioner and except certain temporary appointees, they are all under the civil service. My position is under the civil service.

Q. So it is a permanent structure of officialdom?—A. Naturally if a new commissioner comes in there is likely to be some change and some shifting of personnel.

*By Mr. Harkness:*

Q. But the commissioner does change with each change of government?—A. The commissioner is appointed by the president and confirmed by the Senate. That is considered a political appointment. The truth is though that the recent appointments were not political in the sense in which that term is generally used. Mr. Collier's appointment was certainly not a political one, and the commissioner before him was in no sense a political seeker for a job. He was a well known Quaker from Philadelphia, a man of very high standing and had long been interested in Indian matters. He was not a politician.

Q. Nevertheless if a Republican president was elected at the next election you would get a new commissioner?—A. We probably would.

*By Hon. Mr. Glen:*

Q. How do you get rid of an incompetent civil servant?—A. It is one of the hardest things there is.

*By Mr. Reid:*

Q. In other words, you can hire but you cannot fire?—A. Yes. There is a procedure for doing it. There is a regular procedure. We file written charges which the employee answers. Then we determine whether or not his answer is satisfactory. We have authority to separate on the basis of our decision. If he does not like our decision he appeals to the civil service commission. Their decision may support us or over-rule but their decision is final.

*By Mr. Castleden:*

Q. The civil service commission has that power?—A. Yes. It is an independent organization and has that power.

Q. At one stage you referred to the Eskimo in regard to what you were saying about the Indians in Alaska. Do the Eskimos come under Indian legislation?—A. Yes, they do.

Q. All the Eskimos in Alaska come under the various Indian acts?—A. That is right.

Q. Have there ever been treaties with the Eskimos?—A. There have been no treaties with them.

Q. Then the 1934 . . . —A. May I say that so far as treaties go the only treaty application is that which arose from the treaty made with Russia at the time of the purchase. There is language in that treaty having to do with the lands used or claimed by the Indians and Eskimos.

Q. I did not quite follow that.—A. There is language in the treaty between the United States and Russia which protects the aboriginal owners. The United States bound itself by that language.

Q. Whether they be Indians or Eskimos?—A. That is correct.

Q. Then the acceptance of the 1934 Act depends on a vote taken by the tribe?—A. That is correct.

Q. Who is allowed to vote, male and female?—A. Yes.

Q. Over 21?—A. That is correct, any member on the tribal roll.

Q. You touched on the question of liquor, but I should like you to go a little further. For instance, in Alaska it is possible for Eskimos to buy liquor if they choose to?—A. Alaska is one of those exceptions. The federal liquor laws do not apply to Alaska. There is a territorial law in Alaska which if properly enforced would be helpful, but it is not adequately enforced. There is no distinction in Alaska under territorial law between natives and whites.

Q. They have something like our government control and sale?—A. They have a system of territorial permits or licences which are issued by the federal judges following a petition of the residents.

Q. Would you say that has had the effect of curbing bootleg liquor?—A. No, it has not.

Q. It has not?—A. In my judgment it has not.

Q. Even though it is open for them to buy respectable liquor they still get the bad stuff?—A. You may have no liquor store at one point, and thirty miles up the river there is a liquor store. It is contrary to territorial law to bring a bottle of liquor down the river and sell it in the town below, but it is done.

Q. That is bootleg liquor in the sense of the respectable liquor that is sold by the liquor store. I was thinking rather of the terrible stuff that is sold under the name of liquor?—A. Maybe I should not say all this on the record, but I think you can almost always get good liquor in Alaska.

Q. Then at another stage when you were referring to the liquor question you mentioned the fact that those who leave the reserves to work, move off reserves, are able to buy what they wish?—A. That is the purpose of this bill which is now pending. Under the present law they are still subject to the liquor law.

Q. And under the bill now pending it will not affect the sale of liquor on reserves?—A. That is correct. The reserves will still be dry territory.

Q. Have you many or few Indians with initiative and ability who have moved off of their own volition into professional life or industrial life and set themselves up successfully? Are there just a few doctors, and so on?—A. There are relatively few professional people. There is a substantial number of Indians who have moved away. I would make a guess that probably nearly 10 per cent of the Indian population is no longer living on the reservation where it has rights.

Q. 40,000 odd?—A. That would be my guess.

*By Mr. Harkness:*

Q. Most of the questions I had in mind have been touched on. However, there are several of them I should like to go into a little more. In connection



with the last matter that Mr. Stirling mentioned does this increase which you mentioned in the Indian population include the 10 per cent which have moved away from the reserve, or is that a straight increase of Indians on the reserve?—A. I think that is the total population. That population that is away is, of course, fluctuating.

Q. Are there many of those people who move away who become assimilated in the general stream of American life?—A. Oh yes.

Q. You have a considerable amount of that going on all the time?—A. I think so.

Q. As far as your general policy of assimilation is concerned it was mentioned a little while ago, but what I should like to know is do you look forward to the day when the Indian reserves will disappear, and when the American of Indian ancestry will occupy more or less the same situation as an American of Irish ancestry occupies, and that your department will have disappeared?—A. Well, you come to the root of many of our current problems with congress. Congress is asking us these questions. It seems to me they were now at the point in some states and with some groups where we ought to withdraw or begin to withdraw and place responsibility squarely on the Indians themselves and on the states.

Q. Is that your general policy, or is there no policy really determined?—A. Yes, that I think is the objective, but it is going to be a long time in some areas, unless we shut our eyes to certain facts. Now, I have said to representatives, to members of congress, who have large Indian populations in their districts, that I think if I were in their shoes I would insist that the federal government discharge its obligation by bringing the Indian population to a certain economic and educational level, before the federal government pulls out. It seems to me that is the responsibility of the federal government.

Q. I agree with you in that, thoroughly; but I wondered whether you were working toward that end or whether you sort of expected that the Indian reserves would last forever?—A. I anticipate that some of them will last a long time, but I do not see any inconsistency between that and the general scheme of things. I see no reason, for instance, why it should not take the form of a tribe or a club or a private corporation or something else. The fact that they originally had Indian blood does not seem to me to make any difference. But, if the tribe wants to continue as a corporation and dispose of its timber on a sustained yield basis over a term of years I can see no difference between that sort of corporation and a lumber company which operates an adjacent piece of timber which used to belong to the Indians—big timber companies buying stands of timber and planting sixty, eighty and one hundred year cycles. I do not see any difference so far as our general scheme is concerned in the states.

Q. There would be an essential difference between that and a policy which worked with an object in mind to perpetuate an Indian tribe forever as a separate segment of the population?—A. I see no point in perpetuating a tribe merely for the sake of keeping a tribal organization going.

Q. Another question somewhat connected with that is this: Is there any great amount of discrimination against the Indians the same way that there is in the southern states against the negroes?—A. Some places, yes; some places, very marked; but generally throughout the United States there is not that discrimination.

Q. That does not act as a serious bar to the Indian entering into the general life of the community?—A. No, I think not. I think I did say earlier that we had serious trouble in certain areas during the war. I have in mind a large munitions plant in Nebraska where several hundred Indians congregated. They could not find decent housing, and mixed with the lowest element in the white population; but I would say that in the long run that is probably a temporary condition.

Q. Is the process of assimilation, as far as intermarriage is concerned, likely to go on fairly rapidly between Indians and the white population?—A. I should think so.

Q. Turning now to churches and schools; I understand that churches operate only a small number of schools under contract?—A. Not all of them are under contract.

Q. Is there any arrangement whereby a church, or certain churches, have control or are permitted to go into schools which are operated by your department or by the state and give religious instruction; or, are there certain regulations about religious instruction?—A. We permit religious instruction to be given at times that are fixed. The regulations are specific on that and I would rather refer to them, if you don't mind. Would you like to have this extract put in the record?

Q. Yes, I think that would be a good idea.

The CHAIRMAN: Would you like to read it first?

The WITNESS: It is a fairly long statement.

Mr. HARKNESS: I think it should be put in the record.

The WITNESS: The sum and substance of it is contained in this paragraph:—

(a) Any denomination or missionary, including any representative of a native Indian religion, may be granted as a privilege the use of rooms in the buildings or premises of boarding schools for group meetings or personal conferences with pupils who, by parental choice or by personal choice if the pupil is 18 years of age or older, request the services of such missionary or denomination. Space in federal structures may not be provided for headquarters or for the exclusive use of any missionary representative, but shall be equally available to all accredited representatives.

*By the Chairman:*

Q. Would that apply to residential schools?—A. In the day schools, there would be provision—

Q. Just for the contract schools?—A. This applies to residential, or boarding schools.

Hon. Mr. STIRLING: But not in the day school curriculum?

The WITNESS: There would be no religious instruction in the day school curriculum.

*By the Chairman:*

Q. How about those schools which are operated by religious institutions?—A. They retain control of their operation. They could do whatever they pleased, I suppose, about religious instruction.

Q. And what about these others—what did you call them?—A. The mission schools. They are run by the various denominations under their power with regard to whatever rules they wish to set up.

Q. Do you make any contribution to them?—A. We make a limited contribution in the case of certain children who are placed there because there is no other place to accommodate them. We merely pay a small sum, a portion of the cost of taking care of those children.

Mr. CASE: But there is no grant for the education of the children?

The WITNESS: That is correct. The grant is made by congress with a view, as it were, to providing housing and food for the children.

Mr. CASE: Maintenance.

The WITNESS: Yes, maintenance. The allowance that we make is frankly not sufficient to cover the total cost of that.

The CHAIRMAN: I think this excerpt about missionary activities and religious instruction should be in the record. It reads as follows:—

#### Missionary Activities and Religious Instruction

97. Missionary Activity. In the long history of the Indians' relations with the white man, missionaries have furnished a contribution of good, possibly greater than that of all the government's.

The missionary's work is usually carried out among a group of Indians, whether on a reservation or in a school, whose religious allegiances are not one but several. Complete homogeneity of religion is the exception among Indian groups. Hence, careful planning, with self-restraint and mutual forbearance between the missionaries and the government employees, and between all of the white elements and the Indians themselves, is necessary to the greatest usefulness of the missionary endeavour.

The following precepts deal exclusively with the Indian schools. Inasmuch as the varied situations require practical judgment, and mutual tolerance and individual self-restraint, the items which follow are not set down as immutable requirements or limitations, but they are to be adhered to in spirit by all employees of the Indian Service, and they are to be enforced literally unless a modification be granted in a particular case after correspondence with the office.

#### CONTROLLING PRINCIPLES

98. Indian schools are supported from funds raised by general taxation or from trust funds administered by the United States as guardian in behalf of the entire membership of the tribes, and attendance is compulsory.

Subject to the necessary qualifications indicated below, the controlling principles respecting sectarian or religious activity in the Indian schools are identical with the controlling principles respecting identical matters in tax-supported schools for others than Indians.

99. Residential schools. There is, however, a distinction of practical moment, due to the residential feature of the Indian boarding schools.

(a) Any denomination or missionary, including any representative of a native Indian religion, may be granted as a privilege the use of rooms in the buildings or premises of boarding schools for group meetings or personal conferences with pupils who, by parental choice or by personal choice if the pupil is 18 years of age or older, request the services of such missionary or denomination. Space in federal structures may not be provided for headquarters or for the exclusive use of any missionary representative, but shall be equally available to all accredited representatives.

(b) When the parent or the natural guardian of an Indian child, appearing in person before the superintendent of the agency where such parent or guardian resides, or before the superintendent or principal of the boarding school where such child is in residence, knowingly and voluntarily, in writing, registers a request for teaching or ministration for the child by a missionary or a denomination, it shall be the duty of the superintendent of the reservation or the superintendent or principal of the school to make the request known to the missionary or the denomination. Parents shall be clearly informed by the Indian Service officials in question that they are under no requirements to register any request, and officials shall not attempt to influence the choice, if any, by parents or guardians. When such request is made by a parent or guardian, the missionary or denomination thus selected shall be invited and enabled to make contact with the child, at such times and places as do not conflict with the requirements of classroom work, the group activities of the school, or the tasks assigned to the children.



In any situation in which Indian parents do not read or understand the English language, and therefore, hesitate to sign any document in that language, it shall be permissible that the request for religious instruction be made verbally in the presence of witnesses, which must include the reservation or school superintendent or an official representative of either, and may include a representative of the religious denomination affected. Care must be taken to see that a full understanding of what is involved be made available to the Indian parents through the services of an impartial interpreter.

The request must be made in the form of a direct, complete statement of the parents' desire concerning the child's instruction, translated into English, and made part of the written record concerning the child, and witnessed by the official government representative, and if so desired, by the representative of the religious denomination as well. A simple affirmation in response to a directed inquiry is not to be construed as an adequate statement.

(c) With respect to the children specified in (b) above, the officials of boarding schools shall cooperate with the missionaries by encouraging and facilitating attendance at the specified religious services. Compulsion however, shall not be used upon any child.

(d) Employees of any school may volunteer to conduct Sunday school exercises, but compulsion shall not be used upon any child.

(e) Direct or indirect proselytizing in the Indian Boarding Schools is prohibited.

(f) Nothing contained above shall be interpreted as a prohibition or advice against the superintendent of a boarding school inviting the participation by accredited representatives of religious organizations having substantial membership in the school, in the secular activities of the school, as in the case of Boy Scout, Girl Scout, and Camp Fire Girls activities, adult-education activities, lectures, entertainment, etc., but such persons may not act as classroom instructors, advisers, or otherwise perform the work of classified positions.

100. Day Schools. Any child at an Indian Service day school upon written request of his or her parents, knowingly and voluntarily given, shall be excused for religious instruction, including instruction in the native Indian religion, if any, for not more than one hour each week. Religious exercises are not to be held on the premises of day schools during regular school hours without prior approval by the Indian Office, which will only be granted upon a showing of urgent need, but facilities at the school may be provided for the use of religious instructors, at times and under conditions not in conflict with the uses of the buildings by the Indian Service or the community. Paragraph 99 (f) and (e) above shall apply to day schools as well as boarding schools.

*By the Chairman:*

Q. How do they form these schools? Supposing a school is to be set up in a reserve, could any institution come along, any religious institution, and set up its own school?—A. Initially the government encouraged various denominations to establish schools.

Mr. CASE: That was some years ago?

The WITNESS: Yes, that was around seventy years ago, and there were a few mission schools even earlier than that. We do not particularly encourage and we do not discourage ordinarily a mission school being established. A mission school cannot be established on tribal land without the consent of the Indians, without the consent of the tribe.

The CHAIRMAN: Does the tribe contribute to its maintenance?

The WITNESS: In some cases it does. In one case in Wisconsin practically all the education, except for a few non-Catholic children, is provided through a contract with the board of Catholic missions.

Mr. CASE: Have there been any mission schools established in recent years?

The WITNESS: Yes, a few.

*By Mr. Harkness:*

Q. Well, we can leave that. Did I understand you to say that education is not compulsory for the Indian children?—A. I should not have said that. I should have said that we have not enforced compulsion.

Q. That is, legally it is compulsory but you do not insist upon it?—A. That is right, because in some instances school facilities are not available.

Mr. CASE: But they are subject to state law?

The WITNESS: By action of the secretary. The Secretary of the Interior has certain authority under a special statute. He can exercise the same kind of authority in the case of contagion or infection. He has the power through state officials to quarantine a carrier, for example.

*By Mr. Harkness:*

Q. I would like to turn now to the administration of veterans' affairs in so far as it applies to the Indians. Is that carried on through your department, or is that carried on through your veterans' affairs people?—A. That is carried on through the veterans' administration.

Q. Your department has nothing to do with that?—A. We have had nothing officially, but we have tried to make the system work. But there are certain difficulties in the way under the system we have of veterans' administration. The administration does not itself make loans but it makes a certain grant for educational purposes, not for the purpose of financing Indians in farming or other enterprises.

Q. How does it operate?—A. Under our Indian law the veteran is compelled to deal with commercial banks or other lending institutions, but we have found it almost impossible to persuade the normal banker—or the abnormal banker if you choose—to make a loan to an Indian whose base property, whose land is not subject to mortgage. The veterans' administration has been very helpful and has gone as far as it could within the scope of its authority and it has even done this: we have arranged to have some tribes act as lending agencies and then the veterans' administration have guaranteed a loan that the tribe has made, just as it would for any type of lender. Some of those tribes have funds and some of the tribes have borrowed money from the federal government for the purpose of re-lending to the veterans.

Q. The general situation is that the Indian veteran is at a disadvantage as compared to the white veteran as far as getting a loan to go into farming or any other venture is concerned?—A. I think that is correct.

Q. And there has been no special provision written into your veterans' legislation to take care of the Indian?—A. No, there has not.

*By the Chairman:*

Q. Might I ask this: do you have such a thing as a revolving fund to assist your veterans and others?—A. We have this one large loan fund of about \$5,000,000.

Q. \$5,000,000?—A. Yes, and that is only a drop in the bucket.

Q. What do you do with that fund?—A. That is loaned to the tribe or to individuals.

Q. And it is repaid?—A. It is repaid.

Q. At a rate of interest?—A. Purely nominal. The loan fund was established under the 1934 Act primarily for the purpose of providing funds for Indians who had no other source of credit. Thus far we have charged only one per cent, which was just about equal to the carrying charge, just about enough to pay the cost of administration; and the theory of the loan was to make it possible to rehabilitate the Indian.

Mr. LICKERS: What was the limit of loan to an individual Indian from that fund.

The WITNESS: There is no fixed limit. That is a matter of discretion. In a few cases we have loaned as high as \$15,000 to \$18,000 to an individual. The average loan would be very much smaller, probably around \$1,500.

*By the Chairman:*

Q. What has been your amortization experience?—A. You mean, how much we have lost?

Q. Yes.—A. Almost nothing. The total delinquency up to the present time out of the \$5,000,000 fund is in the neighbourhood of \$20,000.

*By Mr. Harkness:*

Q. Have your Indian veterans on the whole gone back to the reserves or have they left the reserves?—A. Most of them have gone back.

Q. Have they fitted back into reserve life fairly well?—A. Not too well. Most of them have been drawing \$20 a week. They belong to the 52/20 club just as many white veterans do, and that period of payment is just about over for practically all of them. There has been some difficulty in adjustment—considerable difficulty in some areas. The boys have come back and they are not ready to settle down.

Q. Is there any feeling among your Indian veterans that they are not as well treated as the white veterans are? I might say that that feeling exists among certain of our Indian veterans, and I wonder if you have had the same experiences?—A. I think that it exists in connection, perhaps, with their inability to get loans; they feel frustrated.

Q. Well, in the matter of hunting, fishing and trapping, are Indians allowed to engage in those pursuits on state and federal land more or less as they like, or are they required to keep within the state game laws; and do they require licences?—A. The game and hunting and fishing problems are very complicated. The state laws do not apply on Indian lands.

Q. But they do apply as far as Indians are concerned on any other land except Indian reserves?—A. That is correct. An Indian who wanted to hunt on state land would be required to take out a licence just as any other person would. Contrariwise, a white man who wants to hunt on Indian land, as some of them do, is usually required by the tribe to take out a licence issued by the tribe and is also required by the state to take out a state licence.

*By Hon. Mr. Stirling:*

Q. Is there a lot of that?—A. There has been considerable of it.

Mr. MACNICOL: The Indian council would give the licence?

The WITNESS: That is correct.

Mr. CASE: And they would be limited to the same bag of game as under state law if hunting on an Indian reserve?

The WITNESS: Yes.



*By Mr. Harkness:*

Q. Do the Indians feel that they are suffering an injustice in that they cannot hunt and fish where they like?—A. No, I do not think so. I think they want to continue to hunt and fish on their own land as they please. It has been very difficult to approach the problem with any sort of a rational solution, because it is all tied up with emotions, treaty rights, and many other things. It is difficult to sit down with an Indian group and try to work out a plan which will ensure conservation that will not arouse antagonism on the part of state officials or on the part of the whites and which will not ultimately result in legislation destroying the vested interests that the Indians have.

Q. It is a troubled question here also.—A. We have had a decision from the Supreme Court, for example, which seems to be sitting on the fence in this matter. The court said that in the case of fishing there was no doubt about the Indians' right to fish at their accustomed spots, but that nevertheless they were subject to the state's right to make rules and regulations for conservation.

Mr. MACNICOL: In the very early days one tribe had no business hunting or fishing on another tribe's reservation.

The WITNESS: They do not do that now, either, in the United States. It seems to me the Indians recognize the need for conservation. Many of the tribes have adopted ordinances for the protection of game and have set the bag limits and the seasons and the usual mechanics for conservation; but that is not true of all reservations.

*By Mr. Harkness:*

Q. I have one or two other short questions I would like to ask. As I understand you, the Indian council on many reserves is competent to spend their own band funds. For example, the Blackfeet Indians in Montana. But the individual Indian has to secure a permit if he wants to sell ten head of cattle?—A. That depends on the superintendent's judgment—the local administrative officer.

Q. Does that permit system apply to all Indians; because my information from the Blackfeet in Canada is that a lot of Indians in Montana do sell their own cattle and so forth. Do they?—A. Yes, they do.

The CHAIRMAN: Gentlemen, it is now 6 o'clock and time for the committee to rise. Those who have not had the privilege of asking questions today will be given a preference tomorrow morning.

Mr. MACNICOL: I do not think I shall be able to attend tomorrow because I shall have to attend the Redistribution Committee and the Elections Committee.

The CHAIRMAN: We are sorry. The committee will adjourn until tomorrow morning.

—The committee adjourned at 6 p.m. to meet tomorrow, May 20, at 11 o'clock a.m.



## APPENDIX "EY"

## INDIAN REORGANIZATION ACT

[PUBLIC—No. 383—73RD CONGRESS]

[S. 3645]

## AN ACT

To conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

SEC. 2. The existing periods of trust placed upon any Indian lands and any restriction on alienation thereof are hereby extended and continued until otherwise directed by Congress.

SEC. 3. The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however,* That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: *Provided further,* That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation: *Provided further,* That the order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: *Provided further,* That damages shall be paid to the Papago Tribe for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior but not to exceed the cost of said improvements: *Provided further,* That a yearly rental not to exceed five cents per acre shall be paid to the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations, and payments derived from damages or rentals shall be deposited in the Treasury of the United States to the credit of the Papago Tribe: *Provided further,* That in the event any person or persons, partnership, corporation, or association, desires a mineral patent, according to the mining laws of the United States, he or they shall first deposit in the Treasury of the United States to the credit of the Papago Tribe the sum of \$1.00 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss or occupancy of the lands withdrawn by the



requirements of mining operations: *Provided further*, That patentee shall also pay into the Treasury of the United States to the credit of the Papago Tribe damages for the loss of improvements not heretofore paid in such a sum as may be determined by the Secretary of the Interior, but not to exceed the cost thereof; the payment of \$1.00 per acre for surface use to be refunded to patentee in the event that patent is not acquired.

Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202).

SEC. 4. Except as herein provided, no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe or corporation organized hereunder, shall be made or approved: *Provided, however*, That such lands or interests may, with the approval of the Secretary of the Interior, be sold, devised, or otherwise transferred to the Indian tribe in which the lands or shares are located or from which the shares were derived or to a successor corporation; and in all instances such lands or interests shall descend or be devised, in accordance with the then existing laws of the State, or Federal laws where applicable, in which said lands are located or in which the subject matter of the corporation is located, to any member of such tribe or of such corporation or any heirs of such member: *Provided further*, That the Secretary of the Interior may authorize voluntary exchanges of lands of equal value and the voluntary exchange of shares of equal value whenever such exchange, in his judgment, is expedient and beneficial for or compatible with the proper consolidation of Indian lands and for the benefit of cooperative organizations.

SEC. 5. The Secretary of the Interior is hereby authorized, in his discretion, to acquire through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments whether the allottee be living or deceased, for the purpose of providing land for Indians.

For the acquisition of such lands, interests in lands, water rights, and surface rights, and for expenses incident to such acquisition, there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed \$2,000,000 in any one fiscal year: *Provided*, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona and New Mexico, in the event that the proposed Navajo boundary extension measures now pending in Congress and embodied in the bills (S. 2499 and H.R. 8927) to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes, and the bills (S. 2531 and H.R. 8982) to define the exterior boundaries of the Navajo Indian Reservation in New Mexico and for other purposes, or similar legislation, become law.

The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.

Title to any lands or rights acquired pursuant to this Act shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

SEC. 6. The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to

promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.

SEC. 7. The Secretary of the Interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: *Provided*, That lands added to existing reservations shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

SEC. 8. Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reservation now existing or established hereafter.

SEC. 9. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed \$250,000 in any fiscal year, to be expended at the order of the Secretary of the Interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.

SEC. 10. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$10,000,000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of administering such loans. Repayment of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established. A report shall be made annually to Congress of transactions under this authorization.

SEC. 11. There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, a sum not to exceed \$250,000 annually, together with any unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational land trade schools: *Provided*, That not more than \$50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner of Indian Affairs.

SEC. 12. The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions.

SEC. 13. The provisions of this Act shall not apply to any of the Territories, colonies, or insular possessions of the United States, except that sections 9, 10, 11, 12, and 16, shall apply to the Territory of Alaska: *Provided*, That Sections 2, 4, 7, 16, 17, and 18 of this Act shall not apply to the following-named Indian tribes, the members of such Indian tribes, together with members of other tribes affiliated with such named tribes located in the State of Oklahoma, as follows: Cheyenne, Arapaho, Apache, Comanche, Kiowa, Caddo, Delaware, Wichita, Osage, Kaw, Otoe, Tonkawa, Pawnee, Ponca, Shawnee, Ottawa, Quapaw, Seneca, Wyandotte, Iowa, Sac and Fox, Kickapoo, Pottawatomie, Cherokee, Chickasaw, Choctaw, Creek, and Seminole. Section 4 of this Act shall not apply to the Indians of the Klamath Reservation in Oregon.

SEC. 14. The Secretary of the Interior is hereby directed to continue the allowance of the articles enumerated in section 17 of the Act of March 2, 1889 (23 Stat.L. 894), or their commuted cash value under the Act of June 10, 1896 (29 Stat.L. 334), to all Sioux Indians who would be eligible, but for the provi-



sions of this Act, to receive allotments of lands in severalty under section 19 of the Act of May 29, 1908 (25 Stat.L. 451), or under any prior Act, and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall be final and conclusive, claims therefor to be paid as formerly from the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive in his own right more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse. Such benefits shall continue to be paid upon such reservation until such time as the lands available therein for allotment at the time of the passage of this Act would have been exhausted by the award to each person receiving such benefits of an allotment of eighty acres of such land.

SEC. 5. Nothing in this Act shall be construed to impair or prejudice any claim or suit of any Indian tribe against the United States. It is hereby declared to be the intent of Congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall be considered as offsets in any suit brought to recover upon any claim of such Indians against the United States.

SEC. 16. Any Indian tribe, or tribes, residing on the same reservation, shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforesaid and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws.

In addition to all powers vested in any Indian tribe or tribal council by existing law, the constitution adopted by said tribe shall also vest in such tribe or its tribal council the following rights and powers: To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments. The Secretary of the Interior shall advise such tribe or its tribal council of all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and the Congress.

SEC. 17. The Secretary of the Interior may, upon petition by at least one-third of the adult Indians, issue a charter of incorporation to such tribe: *Provided*, That such charter shall not become operative until ratified at a special election by a majority vote of the adult Indians living on the reservation. Such charter may convey to the incorporated tribe the power to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, but no authority shall be granted to sell, mortgage, or lease for period exceeding ten years any of the land included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

SEC. 18. This Act shall not apply to any reservation wherein a majority of the adult Indians, voting at a special election duly called by the Secretary of the Interior, shall vote against its application. It shall be the duty of the



Secretary of the Interior, within one year after the passage and approval of this Act, to call such an election, which election shall be held by secret ballot upon thirty days' notice.

SEC. 19. The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal peoples of Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty-one years.

Approved, June 18, 1934.

## AMENDMENT TO THE IRA

(PUBLIC—No. 147—74TH CONGRESS)

(H. R. 7781)

## AN ACT

To define the election procedure under the Act of June 18, 1934, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in any election heretofore or hereafter held under the Act of June 18, 1934 (48 Stat. 984), on the question of excluding a reservation from the application of the said Act or on the question of adopting a constitution and bylaws or amendments thereto or on the question of ratifying a charter, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate such exclusion, adoption, or ratification, as the case may be: *Provided, however*, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote.

SEC. 2. The time for holding elections on the question of excluding a reservation from the application of said Act of June 18, 1934, is hereby extended to June 18, 1936.

SEC. 3. If the period of trust or of restriction on any Indian land has not, before the passage of this Act, been extended to a date subsequent to December 31, 1936, and if the reservation containing such lands has voted or shall vote to exclude itself from the application of the Act of June 18, 1934, the periods of trust or the restrictions on alienation of such lands are hereby extended to December 31, 1936.

SEC. 4. All laws, general and special, and all treaty provisions affecting any Indian reservation which has voted or may vote to exclude itself from the application of the Act of June 18, 1934 (48 Stat. 984), shall be deemed to have been continuously effective as to such reservation, notwithstanding the passage of said Act of June 18, 1934. Nothing in the Act of June 18, 1934, shall be construed to abrogate or impair any rights guaranteed under any existing treaty with any Indian tribe, where such tribe voted not to exclude itself from the application of said Act.

Approved, June 15, 1935.

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Canada Indian Act  
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(SESSION 1947)



( SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

INDIAN ACT )

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 24

TUESDAY, MAY 20, 1947

WITNESS:

Mr. William Zimmerman, Jr., Assistant Commissioner of United States  
Indian Affairs.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947





# MINUTES OF PROCEEDINGS

THE SENATE

TUESDAY, 20th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11.00 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Castleden, Farquhar, Gariepy, Harkness, Little, Matthews (*Brandon*), MacNicol, Raymond (*Wright*), Reid, and Richard (*Gloucester*).

In attendance and assisting in the proceedings of the Committee: Mr. N. E. Lickers, Barrister, Counsel for the Committee and Liaison Officer, and Mr. R. A. Hoey, Director of Indian Affairs, Ottawa.

Mr. William Zimmerman, Jr., Assistant Commissioner of United States Indian Affairs, was recalled and further questioned.

At 1.00 p.m., the Committee adjourned to meet again at 4.00 o'clock p.m. this day.

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## AFTERNOON SESSION

The Committee met at 3.30 o'clock p.m. Mr. D. F. Brown, M.P., Joint Chairman, presided.

*Present:*

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Castleden, Farquhar, Harkness, Matthews (*Brandon*), and Reid.

In attendance and participating in the work of the Committee: Mr. N. L. Lickers, Barrister; and Messrs. R. A. Hoey, Director, T. R. L. MacInnes, Secretary, and B. F. Neary, Superintendent of Welfare and Training, all of the Indian Affairs Branch, Ottawa.

Mr. Zimmerman was recalled and further examined.

The Chairman, on behalf of the Committee, thanked the witness for his lucid and helpful presentation.

The Committee adjourned at 5.20 p.m. to meet again at 11.00 a.m., Thursday, 22nd May.

J. G. DUBROY,  
*Acting Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
May 20, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Will you come to order, gentlemen.

Mr. HARKNESS: Mr. Chairman, I have a letter here from the Calgary branch of the Canadian Corps Association, of which I am a member, enclosing copy of a letter to the Minister of Mines and Resources. I should like to put this letter on the record. It reads:

### CANADIAN CORPS ASSOCIATION

#### CALGARY BRANCH

#### MEMBER

#### *National Council of Veterans' Associations*

CALGARY, May 14, 1947.

Minister,  
Dept. of Indian Affairs,  
Ottawa, Ont.

DEAR SIR—The Calgary branch of the Canadian Corps Association at their regular monthly meeting went on record as being opposed to the penalty imposed on the English war bride of one of Canada's Indian active service veterans, Mrs. Jean McHugh, of Bassano, Alta., last March, and the stigma of "law breaker" which goes with such a conviction.

We understand that the fine has been reduced to a nominal sum, but the "stigma" still remains, and we respectfully request that special measures be taken in this case in order to give this veteran and his wife a feeling of pride in this country of ours by removing all the fine, remitting the costs and clearing the name of Mrs. McHugh of all such stigma.

We, the Calgary branch of the Canadian Corps Association, also request that efforts be made to have the Liquor Act so amended as it affects those of Indian blood who have served in any of the Canadian active forces during the late war in order that these veterans and their families may enjoy equal treatment with other citizens of Canada.

Yours truly,

J. CLAUGHTON, *President*,  
Calgary Branch,  
Canadian Corps Association.

The CHAIRMAN: That letter should be referred to the subcommittee on agenda and procedure. I think you will agree with that suggestion.

Mr. HARKNESS: Well, that is all right; but the point is that these people want their stand on the matter brought to the attention of the committee and put on our record.

The CHAIRMAN: I am sure that the Canadian Corps Association will find this committee and the government very sympathetic to any cause which will advance the welfare of Indians. Of course, I am sure that the Canadian Corps Association also recognizes that we as members of the committee cannot change the law as it is, and the matter is one which has been in the courts and has been determined by properly constituted courts; so there is not very much we of the committee can do except to recommend.

Mr. HARKNESS: Well, it is the latter part of the letter particularly which is of interest to the committee, the last paragraph, the matter of changing the liquor laws.

The CHAIRMAN: Oh, yes:—

We, the Calgary branch of the Canadian Corps Association, also request that efforts be made to have the Liquor Act so amended as it affects those of Indian blood who have served in any of the Canadian active forces during the late war in order that these veterans and their families may enjoy equal treatment with other citizens of Canada.

I think you may be assured that that is a matter which will be dealt with by this committee when the revision of the Act comes up.

Mr. REID: May I ask, Mr. Chairman, if their request is only with respect to veterans?

Mr. HARKNESS: Yes.

Mr. REID: I think the whole matter ought to come up before the committee, veterans and all.

Mr. HARKNESS: I agree with you thoroughly, but these people are just concerned with Indian veterans.

Mr. FARQUHAR: I think the letter should be put into our record.

The CHAIRMAN: Yes, that is our intention. We know now the feeling of the Calgary branch of the Canadian Corps Association, and their representations will be given consideration when the revision of the Indian Act is being considered.

If there is nothing further then we will proceed with the questioning of Mr. Zimmerman. For the benefit of those who were not with us yesterday, Mr. Zimmerman is the Assistant Commissioner of Indian Affairs of the Department of the Interior in the United States. Yesterday several members of the committee questioned the witness and it was agreed that today we would continue with the questioning, giving preference to those members of the committee who had not an opportunity yesterday of either completing or submitting questions to the witness. At the time of the adjournment I believe Colonel Harkness was submitting questions to the witness. Have you any further questions, Colonel Harkness?

Mr. HARKNESS: Yes, I have a few, Mr. Chairman.

**William Zimmerman, Jr., Assistant Commissioner of Indian Affairs, Department of the Interior, Washington, D.C., recalled:**

*By Mr. Harkness:*

Q. The point that we were considering at adjournment yesterday was the matter of the Indian council being competent to spend band funds where individual Indians are not, and we were just clearing up that matter. I think that is the way the matter stands, Mr. Zimmerman.—A. With the exception

that I am not certain if it was made clear yesterday that the authority of the tribe or band to spend its own funds may be limited to those funds which are in the hands of the local treasurer. Did I make that clear yesterday?

Q. Yes.—A. For example, the Blackfeet band may have money in the United States treasury to its credit. That money may not be spent except after appropriation by congress. But if they have income locally which comes in the hand of the tribal treasurer that money is spent without any strings or control by the department.

Mr. FARQUHAR: Do you mean by the council, the band council?

The WITNESS: I mean the tribal council.

*By Mr. Harkness:*

Q. I think the point was also being made that a considerable number of Indians have or are given the right to dispose of their cattle or anything else that they may wish to sell by the agent or by the superintendent as you call him. How many Indians come in that category? Is it a fairly considerable number?—A. You mean those who are called competent Indians?

Q. Yes.—A. I would not want to estimate that, I do not know. I will have to qualify my previous statement by going back to certain specific situations such as we have with the Crow which I referred to yesterday. There are a number of other tribes where there are special statutes relating to competency. There is the case of the Osage tribe, for example. All Indians of less than one-half blood are not declared competent automatically but may be released under the provisions of a law that operates only as to that one tribe. In the Five Civilized Tribes in Oklahoma, one of the large groups, no lands are restricted to the Indians of one-half blood. In other words, the rule is not uniform. The Indians of Five Tribes, while restricted as to land are allowed to make their own leases, again under a special statute; but the leases are not valid unless they are reported to and approved by the agent who as a general rule approves unless there is a particular situation. The agent has the discretion to determine whether or not the leasing privileges shall be granted the individual Indian.

Q. The general situation would be then that a considerable number of your Indians have the right to handle their own affairs?—A. I should say so, yes; always within that limit. They may not dispose of their land but they may make leases and dispose of cattle and other property.

Q. Now, in the case of reserves such as the Blackfoot reserve where they have a considerable amount of money which they are able to handle themselves and which their council is able to dispose of, do they pay for their own hospitals, their own schools, for employees on the reserve; or are those employees hired and paid for by the department?—A. Most of those employees are paid by the department.

Q. Is there any sort of demarcation between those who are paid by the department and those who are paid by the Indians themselves?—A. No. That would be a matter for Congress to decide. Congress has gone almost completely around the circle in the last thirty or forty years. We went through a period in which Congress required almost any tribe that had money to use it for administrative expenses. In many cases Congress actually required the tribe to spend that money over the protest of the tribe; and as recently as 1939-40 many of them were protesting the use of their tribal funds for administrative purposes, but Congress insisted on using it rather than using federal money. We then went through a period in which Congress and the department as a matter of policy told the tribes not to use their money except for capital expenditures, not for administration. And now, due to the economy wave which seems to be on in the United States the trend is again swinging in the other direction, Congress is again asking the same questions you are asking: Why,



if this tribe has a substantial income, should it not pay the cost of administration out of its own funds? Some of the tribes are voluntarily taking "loafer money", as we call it, and using it for administration or for several purposes.

Q. There is really no line of demarcation?—A. It is a matter of the judgment of Congress and the department in a particular situation.

Q. Well, Mr. Case brought up a point that the superintendents whom you have mentioned are really analogous to our inspectors rather than our agents, but from what you said I do not think that that is the case. I would like to have that point cleared up. Take the Blackfoot reserve. That is the only one with which I am familiar. You see, I come from Alberta and we have a branch of that reserve in our province and I have visited that reserve a number of times. You have a superintendent on that reserve?—A. Yes, a man by the name of Brown.

Q. In other words, he is in exactly the same position as the Indian agent that we have on our Blackfoot reserve at Gleichen.—A. Well,—

Mr. MACINNES: May I say a word there, Mr. Chairman? The inspector of Indian agencies for a given district here corresponds to the director of a district in the United States. The Indian agent here corresponds to the superintendent.

Mr. HARKNESS: That is the point of my question. That is what I wanted to have made clear. The matter came up yesterday.

Mr. CASE: I understand that they have five superintendents.

Mr. MACINNES: Actually the title of some of our senior agents has been changed to superintendent. That has been or will be done in a number of places.

Mr. HARKNESS: Just one other question.

The WITNESS: May I point out on the powers of the superintendent, that he is also responsible for the money; that is, the funds that are appropriated by Congress are allotted by the central office to the superintendent who has the authority to disburse them in his territory. He does not actually draw cheques but he draws vouchers against that account. He is the reviewing officer, usually a bonder officer, and he is responsible for the use of whatever funds as are allocated to that agency whether it is for administration, schools, or whatever it may be.

Mr. REID: May I ask if the allotment is made out of appropriations by Congress, and if there are attempts to hold them down?

The WITNESS: The only problem with which we have been faced is that of getting enough money. I think our procedure in budgeting is roughly similar to yours. We make up a budget on a national basis as a result of requests for funds which come to us from the field.

Mr. CASE: That is, they budget in the field.

The WITNESS: They set up their program for the year on operations which they think would be justified. We in the central office who have the responsibility for submitting the budget work over these figures and attempt to squeeze through the request within reasonable limits; and we submit the budget through our own department through the secretary's office to the departmental budget officer and to the bureau of budget which acts on behalf of the President, and the bureau of budget makes formal submission through the President to Congress. After Congress has acted we allocate the money back to the superintendent in an effort to meet financial requests on which the budget was based. I have never yet known the time when Congress allowed us as much money as we requested.

Mr. CASTLEDEN: And the local superintendent does not need to write a cheque?

The WITNESS: After he is supplied with funds with which to carry on his work he draws on the central office. He is always writing back and saying: I do not have enough money to get through the year.

Mr. CASTLEDEN: From the moneys allotted to him?

The WITNESS: The money is allotted to him for the year and it is placed to his credit in the treasury regional office and is subject to withdrawal by him. We may recall part of it, if necessary. That is all the central office does, it exercises an over-all control. Normally it is allotted to him at the beginning of the fiscal year and it is then his to spend.

*By Hon. Mr. Stirling:*

Q. Mr. Chairman, I wonder if the answer which the witness gave to Mr. Harkness with regard to the voting by Congress of tribal funds means that they can only be used for certain purposes?—A. Yes.

Q. Did you refer to money in the United States treasury?—A. Yes, I had in mind the money in the United States treasury.

Q. Not to the funds which were in the hands of the tribe?—A. The money which the tribe has locally has not heretofore been considered to be within the power of Congress to control.

*By Mr. Lickers:*

Q. About this money to which you referred, the interest on trust funds can the tribe draw that and use it on their own authority?—A. Ordinarily, not. That money stays in the treasury. It is placed to their credit, just like the principal of the fund, and it is subject to appropriation.

Q. Well, once the money is appropriated by congress does the band council then have authority to expend their share?—A. Ordinarily, no; not unless congress subsequently appropriates the money. It really takes an appropriation. Initially the money is appropriated to the credit of each band as the interest is credited, but they cannot get it out except or until congress again reappropriates it.

Q. But once this reappropriation is made then the band can use that without any strings attached to it?—A. That is right.

*By Mr. Harkness:*

Q. In connection with this Blackfoot reserve, are the Indian children given high school and university education?—I believe they are; in a considerable number of cases, they even go on to university. What I want to know is this; is that paid for by the federal government or is it paid for out of band funds over which they have control?—A. I should guess that in most cases the Indians themselves pay for that education.

Q. Is the policy of the federal government to pay for university education for Indians?—A. No, I think not. We have a small fund that is appropriated each year by the Congress which we use for grants and also for loans to Indian boys and girls who want to go to universities or professional schools or vocational schools.

Q. How many Indians would that look after for university training?—A. In prewar times it took care of three or four hundred a year, I think.

Mr. CASTLEDEN: Would that be in the universities?

The WITNESS: All schools of the type I mentioned.

Mr. CASTLEDEN: Can you tell us how many Indians are attending university?

The WITNESS: You are asking me some detailed questions which I cannot answer because I do not have those figures with me. I could get you that if it would be of interest. It would show how many went to university and how many went elsewhere.

Mr. CASTLEDEN: If we could get the rough figures about how many Indians attended university I think it would be helpful.

*By Mr. Harkness:*

Q. The general situation is that out of the federal fund three or four hundred Indian children receive a higher education, and with respect to the rest the Indians have to look after themselves?—A. That is right.

Q. My last question is in connection with the Eskimos in Alaska; do they vote? First of all, have they the right to vote; and, if they have, are any provisions made so that they can vote?—A. The Eskimos have the right to vote. Until recent years they did not vote. Under the territorial law there are certain procedures. You have to set up a voting precinct, and the Eskimos have not been able to do that in most cases. In the last territorial elections a number of Eskimo areas were organized and the Eskimos did vote.

Q. They have the right to vote but in some cases have not the opportunity of doing so because of the difficulties of the country?—A. That is right.

Mr. HARKNESS: That is all, thank you.

*By Mr. Bryce:*

Q. Mr. Chairman, I am reluctant to ask questions today because I was absent so much yesterday I do not know what has already been discussed. In conversation with some of the other members of the committee I learn that there were some things discussed about which I wanted information, if in what I ask now there are points which have already been dealt with I shall be only too pleased to read the minutes. Could the witness tell us about Indians doing business on the reserves; are they under the jurisdiction of the superintendent—if they want to sell their cattle or grain can they do so without the sanction of the superintendent?—A. That is ordinarily within the discretion of the superintendent.

Q. And then the Indian cannot do that without permission?—A. It depends on the local status of his property. Much of the Indian's property, personal property, is held in what we call a restricted status; that is the legal title is actually in the United States. That may be true of his cattle and it may be true of his crops.

Mr. CASTLEDEN: If he is in debt?

The WITNESS: Sometimes even if he is not in debt.

*By Mr. Bryce:*

Q. Is it sold under supervision of the superintendent?—A. That is one of the difficulties of local administration—the desire of the Indian to have restrictions removed from his property or from his money in the hands of the superintendent.

The CHAIRMAN: I think that matter was fully covered yesterday, Mr. Bryce; but may I summarize it by saying that Mr. Zimmerman did say that they use the permit system and he favoured it. Is that correct?

The WITNESS: I favour the relaxation of it; isn't that what I said?

The CHAIRMAN: You have it, you favour it, and you favour the relaxation in certain cases.

Mr. CASTLEDEN: The chairman is putting words in your mouth.

The CHAIRMAN: If I am wrong I want to be corrected.

The WITNESS: It is, I suspect, somewhat the same as you have on the Canadian side. There is considerable friction between the superintendent or a particular clerk when it comes to dealing with individual Indian matters. An



Indian comes in and asks to have his cattle released or his money released and the clerk says he can't have it. What do you want it for; you certainly should not spend your money that way? And so on. That sort of conversation may go on for an hour or so. It is irritating to both parties. My own sentiment is that in many cases the employee is over-zealously protecting the Indian against his own desires and perhaps against his own weaknesses.

The CHAIRMAN: Wasn't I correct in saying that while he is indebted to the department you want to protect the department itself?

The WITNESS: Yes, but that seems to be a different story.

Mr. BRYCE: That is what I wanted to get at.

*By Mr. Bryce:*

Q. We are interested in the liquor problem throughout Canada as it applies to Indians; have you dealt with that previously?—A. Yes, we discussed that briefly yesterday.

Q. I came in last night just when you were talking about denominational schools. I think you said that there are 8,000 out of 60,000 being educated in denominational schools operated by denominational organizations without any payment from the state?—A. That is correct, if by the state we refer to the states in the United States.

Q. I mean the United States.—A. But in the United States they are making grants to some of these Indian schools.

Q. Well, is the grant made for educational purposes, or for maintenance purposes?—A. It is expressly made for the cost of boarding and feeding children housing them and clothing them. It is not made for the purpose of educating them.

Q. We are quite different here. The government pays a grant here.—A. In no case that I know of is the grant that the federal government makes sufficient to pay the full cost either of taking care of the children or of operating the school.

Q. You are dependent on missionary efforts for the maintenance and education of some 8,000 children?—A. That is correct.

Q. Have you discussed health conditions?—A. We did a little, not very much. Have you some other questions?

Q. How is the health of the Indians there compared with here?—A. We have a tremendous health problem here. How are you handling it?—A. We have made a great improvement in the last twenty years. Beginning about 1930 the federal government spent large sums of money for the construction of hospitals. With perhaps three or four exceptions we now have either on the reservation or nearby good hospitals. The plant and equipment is up to date and is in most cases adequate to the extent that we do not need to build any more new hospitals. We are deficient in personnel. It has been impossible to recruit doctors and nurses. Actually during the war we have kept a number of hospitals open without a doctor closer than 100 to 150 miles away. The result has however been a very marked improvement in general health, but we are still faced with a very high incidence of tuberculosis, which is by far the most menacing disease among the Indians in Alaska as well as in the United States.

Q. Coming back to education you have said that the schools are run by the educational authorities in the United States. Are there both Indian and white boys and girls going to those schools together?—A. Yes, about one-half of the Indian children go to what we call public schools.

Q. What is the cost apportioned? Does the Indian department pay for that or does that come out of the general funds of the United States?—A. There again we take a short range view of the matter. In the long view now that all the Indians are citizens they are entitled under state law to a free education. On the other hand, we recognize that in certain areas under state laws the local

districts could not maintain an adequate school system. For example, in one or two counties in Minnesota there is a large percentage of Indian land which is non-taxable. The school district just does not have enough taxable property to maintain the schools and other local governmental functions, so we make a contribution which in effect is in lieu of taxes. We do not say it is in lieu of taxes, but that is the practical result.

Q. You just make a grant to them?—A. We make a grant.

*By Mr. Hoey:*

Q. A per capita grant?—A. It is based on the attendance so the more Indian children they can get into school under one of these contracts the more money the school district will get.

Q. That is a good basis.

*By Mr. Bryce:*

Q. Is that so much per head?—A. Per head per day.

*By Mr. Castleden:*

Q. How much is it?—A. It varies depending on the local situation from 15 or 18 cents to as high as 60 cents.

*By Mr. Bryce:*

Q. What would it amount to for 200 days per pupil?—A. It would vary from \$30 to \$120 per pupil. The total of those payments to various states and various districts is in the neighbourhood of \$1,000,000. I want to say this by way of explanation. Just this year Congress has raised a question of policy as to the justification for making those payments. Congress has instructed us to reduce the payments to be made next year. I may say one other point is we may contract both with the state and with the local school districts. We operate those contracts under a special Act of Congress which authorizes us to make contracts with the state, with counties, with private institutions, for educational and medical care.

*By Mr. Case:*

Q. Do your Indian children generally understand English before they start school?—A. I should say probably two-thirds of them.

Q. That would be quite a help because a lot of time is wasted until they are taught basic English.—A. But I should say that in the majority of homes the Indian tongue is still spoken at home. That is changing, but there are large groups. Offhand I can pick out 100,000 or 125,000 Indians who are still predominantly non-English speaking.

*By Mr. Blackmore:*

Q. How many bands in the United States have signed treaties with Congress? Can you give that offhand?—A. No, I could not. I would guess most of them have at one time or another, and we recognize about 200.

Q. Are there any bands that have not yet signed treaties as far as you know?—A. There are some. There have been no treaties signed since 1871.

Q. Do you accord Indians exactly the same treatment whether or not their bands have signed treaties?—A. Yes, substantially we do so far as general services are concerned.

Q. In your treaties did the Indians agree to pay taxes, or were they exempted from taxation, or did that vary with the bands and the treaties?—A. In almost every case the treaty specified that the lands which they retained should be

exempt from taxation until Congress otherwise provided. The view we take is that was essentially a part of the contract. The Indians ceded a large acreage of land. They may have removed from an area in which whites wanted to settle, and the right to hold the remaining land free from taxation is an element in the contract.

Q. Does that exemption from taxation extend to the incomes which the Indians make on the land or off the land?—A. Ordinarily the treaties do not specify that. That is a matter of judicial interpretation.

Q. What is the general tendency among the judges in interpreting that matter?—A. The tendency now is to make every kind of income taxable, and particularly with reference to federal taxation.

Q. What is the reaction of your Indians generally? Are they unhappy as to that situation?—A. They are.

Q. They feel their rights have been violated?—A. They feel at least by implication their personal incomes should be free of taxation. That again is subject to an exception. You will find many Indians who say, "We want to pay taxes; we do not want that distinction to remain."

*By Mr. Farquhar:*

Q. You are speaking of money earned on the reserve, are you?—A. Yes, or off the reserve. Generally the income that an Indian receives is subject to federal income tax.

Mr. REID: That is not uncommon with the white man. The desire to escape income tax is not uncommon even with whites.

The WITNESS: Many of the Indians want to pay taxes. They feel they do not want a distinction to continue. They feel they are frowned on by their white neighbours because they do not pay taxes.

*By Mr. Blackmore:*

Q. In the treaties were the Indians specifically exempted from military duty, from conscription?—A. I think not. I think ordinarily there was no reference to that. Most of the treaties were made long prior to the time when we had conscription in the United States.

Q. Do the Indians in the United States generally resent the application of conscription to their young men?—A. Generally not, no. There were a few cases. There are one or two Indians in New York State and one or two in Arizona who made an issue of the matter. They had considerable support from their local groups, but I doubt if there were a dozen Indians who refused to serve, and thousands of them volunteered.

Q. Are you in a position to tell us all definitely what was the situation of the Indians during the depression when unemployment was so common? Did they go on relief just as the other unemployed did in the United States or were they given a special allotment or allocation of money on the reserve? What provision was made for their welfare?—A. They went on relief, and I can say in some areas 99 per cent of them were on relief.

Q. Were they on state relief or federal relief?—A. That was federal relief. In the United States beginning in 1933 and 1934 in those areas there was a large fund administered by a federal agency, the federal emergency relief administration. There were also other temporary organizations, the civilian conservation corps, the public works administration, all of which were in the nature of work relief organizations.

Q. Was the relief granted to the Indians on the same basis as that for the whites?—A. That is correct. Relief was granted to the Indians on the same basis as other people.



Q. What happens to Indians who fall by the wayside in the cities? You mentioned that yesterday in your answers. You referred to cases where Indians went out and attempted to compete with the whites, and after a time found themselves unsuccessful in the effort, and you said they fell by the way. Would you care to elaborate to some extent on that as to what occurred to the Indians and what the government did to rehabilitate Indians, whether it endeavoured to get them back on the reserve or just how it went about and would go about meeting a situation of that sort?—A. The Indian office has not felt its normal functions extended to Indians in cities. We have no personnel and no machinery for following the Indian who leaves the reservation and finds a job in a city. When a particular case is brought to our attention, as it often is, we do make an effort then to work with local welfare agencies, or we may even provide money to return that particular Indian to the reservation, but it seems to me that in the long run the problem of the Indians in the cities is a problem for the community, and that the churches, the welfare organizations and other civic organizations should help rather than leave the burden on the government bureau.

Q. The cities and the communities generally speaking would hardly accept that suggestion with favour?—A. No, sir, I think there is an educational job to be done in the communities. I do not know how it is with you. I think we have failed to make the most of our opportunities in dealing with some communities.

Q. What I am wondering about is what would happen to the Indian meanwhile while the communities were being persuaded?—A. He may sink.

Q. Which would mean what? He would go down how far?—A. I cannot answer that, but I do think this, that going back to the years of the depression in the cities a good many thousand Indians went back to the reservation because they were discharged. They were working in Detroit or Minneapolis or Billings or Great Falls or some other place when they lost their jobs. They had relatives somewhere on a reservation. The population of the Chippewas around Turtle Mountain south of the Canadian border in a period of two or three years increased by about 3,000 Indians who came back home.

Q. A person would be safe in assuming there is no definite recognition on the part of municipal governments or state governments of the United States of any responsibility for the Indians if they happen to fall on evil days after having lived in the city?—A. I think that is probably true of the communities that have the larger Indian groups, and the communities that are nearest to the reservations. I think yesterday I spoke about one city in South Dakota, Rapid City, where there are about 800 Indians. That city is putting pressure on us. They say it is up to us to provide a doctor and nurse and social workers and to see that these Indians are integrated into the municipal stream. I do not agree with that.

Q. And to provide support for their education?—A. That is coming. That is considered a part of federal responsibility by these local people. I think their attitude is wrong.

Q. That would be a vital matter for this committee to consider in drafting our own proposed Indian Act. If I may comment briefly it looks to me as though before we encourage Indians on any general scale to leave the reservations and engage in industrial and professional life we should have some understanding generally among the cities and communities of Canada as to what will happen if they fail.

Mr. CASE: If he thinks you are going to back him up if he fails he will probably fail, but if he knows he is on his own then he will have to make good.

Mr. BLACKMORE: There is also this to it, that an awful lot of suffering can happen to an individual while four or five organizations are deciding who is going to take the responsibility for it. I do not think an Indian ought to have to risk that any more than a white man.

The WITNESS: Let me add this. It would be my view we should not encourage the Indian to go out until he has had some preparation. He certainly needs education. He certainly needs to speak idiomatic English and be able to get along that way. As to certain Indians who have expressed a desire to go into professional work or vocational work we give them special training. I should say after the Indian has gone to high school and has had perhaps one year of post-high school work he is as well qualified as the average white child to make his way.

*By Mr. Blackmore:*

Q. As you indicated yesterday there may be a sort of sales resistance, if I may call it that, against Indians in different communities?—A. That is right.

Q. Which may result in their failing not because of a deficiency in ability?—A. I should like to go back to what we had before the war. We did maintain in a number of cities people who were really employment agents. We called them placement agents. It was a part of their job to see that Indians who came into the local community were provided with work. They were contact people with the community organizations.

Q. In a general way you feel their efforts were successful?—A. Their efforts were successful, but the scale was too small. We were not doing enough of that work.

Q. I am quite interested in what seems to govern the policy of your Congress in the matter of granting money for the Indians. Do they seem to be guided by any principles other than that of economy? Do they make allowance for the number of Indians involved? Can you give us any ideas on that?—A. If I were sure my answer did not get back to Congress I would give some ideas.

Q. How would it be if we had it off the record?—A. I have no objection to putting it on the record. I think we go through the same procedure each year. Congress has probably, without definitely reaching a conclusion, fixed a certain level of expenditures for us. In thinking of the present Congress that level is the pre-war level rather than an existing one. Our pre-war level, except for these relief grants of various kinds, this special fund that was made available, ran in the neighbourhood of \$30,000,000, between \$30,000,000 and \$35,000,000. Our post-war level at the moment is about \$10,000,000 more than that. The effort in Congress is to cut us back to a lower base. Our argument is when you are operating schools and hospitals, running institutions with much higher costs today that you had at that time, with the dollar worth perhaps 60 cents in terms of commodities as compared to the 1940 dollar, it is unreasonable of Congress to expect us to increase the school population and provide better medical services for the same total of dollars.

Q. You would argue in a general way that Congress had no right to assume it was providing adequately even before the war?—A. No, Congress did not provide adequately. That is easy to prove because even today we actually have a substantial part of the Indian population not in school. It is not wholly our fault; it is not wholly the fault of Congress. Fifteen or twenty years ago many of these Indian children did not want to go to school, and their parents would not let them go to school. Twenty years ago it was sometimes necessary to drag children to school. More recently we have discharged people who have kidnapped children in order to fill up a school. That is a policy of which we do not approve. Nevertheless that was done at one time. Now the children want to go to school. The boys have come back from the army wanting their younger brothers and sisters and their children to go to school because they recognize the ability to speak and read and write English is absolutely essential to their problems.



Q. Did Congress appear to take into consideration your recommendation as to how much money they should provide, or the recommendation of the Indian authorities?—A. Yes, in part. I could answer you much better in about ten days.

Mr. CASTLEDEN: How much last year?

The WITNESS: The House of Representatives has reduced our estimates from about \$44,000,000 to \$33,000,000. We asked for \$44,000,000, and the House of Representatives in passing the bill reduced us to about \$33,000,000 in round figures. Just last week we had a hearing before the Senate. What the Senate will do I do not know. I think the Senate will raise the figures, but how much I cannot say. I should like to say this for what it is worth, that my experience is that Congress is always responsive to a request for schools and a request for hospitals. It is much less responsive to a request for an increase in salaries, and it is almost certain to turn a deaf ear on a request for more money for administration. What the House of Representatives has done this year is to leave us substantially with our program activities on the same level as they were four or five years ago, and the money for administration has been reduced by about 40 per cent.

*By Mr. Blackmore:*

Q. Do you feel in a general way you have enough personnel in your administration, or that you should have a good many more on your staff?—A. We could get along with approximately our present staff, but we cannot get along with half that number. If Congress does not revise the figures, and if we have to reduce our administrative staff on the reservations, it will mean some radical changes in administration and the removal of some of the restrictions which are now not so pleasant for the Indians. We certainly will not have the personnel to provide detailed supervision of individual affairs.

With respect to your hospitals, do you just limit it to contracts with certain hospitals to which you make allowances for each case in the hospital; is that a blanket contract for all hospitals?—A. No, we make a contract with a special hospital in an area where we do not maintain a federal hospital. That contract would ordinarily be on a patient-day basis. We pay the hospital so much a day for any patient who is hospitalized.

Q. Do the hospitals seem to be satisfied with the amount of the allowance?—A. Oh, yes.

Q. Where the state has assumed more or less responsibility for the Indians do you make as large a grant to the state as you formerly made by way of federal expenditure, or do you make them on any per capita basis?—A. We make a few grants but not on the basis that you have in mind, only for specific purposes. In the state of New York, for example, we make no grant to the state. The state provides education for all Indian children. We have nothing to do with it.

Q. And there has been no tendency towards decentralization of responsibility and allowing the states to assume an increasing amount?—A. Yes, there is a tendency and we are working on that problem now; but some of the states seem to be reluctant to take up that burden unless the federal government subsidizes it.

Q. Do you think the federal government should subsidize it?—A. I cannot answer that. That is a matter of congressional policy. It seems to me in the long run that the federal government should not continue to pay a subsidy.

Q. Would that merely involve increased responsibility on the part of the states?—A. It might, unless in the meantime it raised the level of the Indian, economically, socially and in other ways so that it compared with that of the white.



Q. In a general way I presume most of the states would be short of funds unless there is some way of applying a tax.—A. Most of the states would be. It is a serious difficulty for one other reason. Even if all the Indian property were taxable it still would not yield revenue to the state at large which would be as great an amount as the subsidy now paid by the federal government.

Q. Now, I do not know whether you would care to commit yourself on this matter or not, but I want to assure you that we would value your opinion. It is your judgment that it would improve the efficiency of the service to the Indian if it could be centralized?

Mr. REID: I suggest that Mr. Zimmerman be given the opportunity to reply to that question off the record if he so desires.

The WITNESS: I don't mind answering that on the record. I have been asked the same question many times by members of Congress. I should say that in most cases the state would not provide as good a service as the federal government is now providing.

Mr. CASTLEDEN: It is a federal responsibility.

The WITNESS: Yes, but even disregarding that, we are in a position where we have a special group of federal employees rendering a special service. If the Indian were subject only to state supervision I think in most cases you would find that sums would be diverted, the attention of state officials would be diverted, there would not be the same concentration of effort that we now provide. That is a generalization and I recognize that it is not necessarily true in a number of states. In a number of states we have excellent co-operation with state officials.

Mr. BLACKMORE: What caused me to wander along this line was to get your opinion with regard to the administration of the Indian educational policy. I was wondering whether it would be better done if their schools were under the state. In many cases, I take it, schools are inspected by state inspectors. From what you just said it would appear that you think you can give better service under federal administration.

The WITNESS: I am not sure it is better, or even sometimes more suitable. In Alaska, for example, at this moment the territorial schools do not provide vocational training of any kind, but we do. We train a boy to be a carpenter, or to build boats and do other things. And I think we provide perhaps not a better brand of education but a more suitable one.

Mr. BLACKMORE: Are you providing that in Alaska at the present time?

The WITNESS: Yes, sir.

Mr. BLACKMORE: That takes up my time, Mr. Chairman.

*By Mr. Lickers:*

Q. Can Indians make wills in the states?—A. Yes, sir; we are encouraging the Indians to make a will.

Q. Just how do you go about probating a will?—A. In the Five Civilized Tribes, the Osage tribes in Oklahoma, the Indian estates are the subject of a special statute. In the Five Tribes the estates are probated in the county courts.

Q. Is the county court the only authority?—A. No, the probate action would be taken but we have authority to intervene. We have in Oklahoma a number of lawyers who are called probate attorneys.

Q. Are they hired by the department?—A. They are hired by the department and paid out of federal funds. They are authorized to appear in the state court, the county court, and take part in the proceedings of probating an estate. In Osage county there is a slightly different procedure. There the will of the Indian is subject to approval by the Secretary of the Interior. If he approves the will then it is probated in the county court. If he disapproves the will then

the will cannot be probated in the county court and the estate is distributed in accordance with state law; except for this, the staff of the department probate the Indian estate. We have probate examiners stationed at various points of the Indian country.

Q. That does not all go through the central office; I mean, your power there is decentralized?—A. That is correct. The examiner holds hearings usually at the agency. A record is kept and the examiner makes a determination as to heirs and the distribution of the estate. His finding is final unless an appeal is taken to the secretary.

Q. And in connection with the laws of descent, do you have your own laws in connection with that applying to all Indians within the state, or do they go by state law?—A. Under the present law the examiners follow state law in the sense of distribution. As I said yesterday, we do recognize Indian custom marriages or the so-called blanket marriages; and we do recognize illegitimate children as heirs.

Q. And then when an administrator of an estate is appointed has he full authority to go ahead and administer the estate?—A. Well, the department is the administrator.

Q. The department is always the administrator?—A. Yes, when you are dealing with wills on so-called restricted or trust property.

Q. What about the other kind, that which is not restricted?—A. That is subject to probate in the state courts.

Q. And so you have a situation where you have two applications?—A. That is correct, that is what sometimes happens.

Q. Has the department any authority over wills covering unrestricted property?—A. We have no authority over unrestricted property. Let me add that the system is not entirely satisfactory. We have recommended to the Congress a bill which would provide uniform estate distribution; that is, making the laws of the particular state in which the Indian may have resided applicable. Whether or not Congress will approve of that, I do not know.

Q. What about the administrative set-up of the probate of wills; is that working out satisfactorily?—A. Oh, yes; because we have all the original records of land, and if there are cases of restricted money we have the records of that. We keep a record of land titles.

Q. Where is your record of land titles kept?—A. Both in the agency office and in the central office in Chicago.

Q. Supposing under a will certain property was given to a son who might have been an only son; can a transfer be done right in the agency office?—A. No, the papers now would have to go to Chicago.

Q. And they would be approved in Chicago?—A. Yes. We are changing our procedure so that hereafter as soon as the procedure is approved the papers may be approved in the new district office.

Q. And that would correspond to your agency office?—A. No, the district office is a layer in between the agency and the central office.

Q. I want to get at your administrative set-up after a while. Now, suppose there is no will?—A. Then we just act as the administrator.

Q. Your department acts as the administrator in such a case?—A. That is right.

*By the Chairman:*

Q. How do you provide for descent?—A. We follow the state laws.

Q. Supposing you have a little patch of property and supposing there are fifteen heirs, you can't convey it— —A. Oh, yes.

Q. —except to Indians?—A. That is right. We can convey to any one the law permits.

Q. Can you sell and divide the proceeds?—A. That can be done, or the land can be partitioned; as a matter of fact for a long period of time we held much of the land in heirship status.

Q. And you may distribute the rent among the heirs?—A. That is right, and the title still remains in the estate.

Q. Supposing there was an infant, a minor; does the law still apply?—A. Perhaps it would be well if we were to put in the record the section of our statute which deals with this matter. I do not know that I need to read it, but the law relating to the probate of estates might be put into your record. Would that be helpful?

Mr. LICKERS: I think it would.

The CHAIRMAN: Would that be helpful to members of the committee?

Carried.

The WITNESS:

372. Ascertainment of heirs of deceased allottees. When any Indian to whom an allotment of land has been made, dies before the expiration of the trust period and before the issuance of a fee simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent he may, in his discretion, cause such lands to be sold: Provided, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by any Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid in deferred payments, a further amount, not exceeding 15 per centum of the purchase price may be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the heirs. Upon payment of the purchase price in full, the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: Provided, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent, as their respective interests shall appear: Provided further, That the Secretary of the Interior is authorized in his discretion to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death, to his heirs, to whom a patent in fee containing restrictions on alienation has been issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent. Provided further, That any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select:



Provided, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior.

That is the annotated code, title 25, section 372 (page 292).

*By Mr. Lickers:*

Q. So that a member of your department, the administrator of estates, travels around during the year to the different agencies?—A. That is correct.

Q. And all the papers are filed right there with him?—A. The records of the agency are recognized in the courts throughout the United States as being public records. The agency records have the same value and weight as county records or state records.

Q. Are all your teachers civil service?—A. We have some teachers who are temporary civil servants, the regulations permit temporary employment.

Q. What is the provision of the Civil Service Act over there in connection with the territorial set-up as to where you make your application?—A. The Civil Service Commission has district offices, I think they are called, and maintain what are known as district registers, a register listing all the eligible teachers. A teacher registers and when one is needed we send over to the local registrar. It is a national register. At the moment there is not one, but that is beside the point.

Q. And supposing you need to have a position filled?—A. Most of the positions are filled from the district register.

Q. That is what I was coming to. Suppose you have a position open, say, in New York state. I take it that you would go over to the district register and pick someone out?—A. The commission certifies to us three names.

Q. From the district register?—A. That is correct.

Q. And does the district register cover the whole of the state?—A. It might not cover the whole of the state, but it might serve a larger area.

Q. You are not limited to an immediate locality, like the city of Buffalo?—A. No.

Q. You were asked about Indian preference in the civil service; are their names on the district register?—A. No, there is a special section on Indian preference which applies only to the Indian service and it is not subject to the usual control of the Civil Service Commission.

Q. That is right under your own jurisdiction?—A. Under our own jurisdiction. We set up certain standards for positions and if the Indians meet those standards they are eligible for appointment under that special provision, not under the regular civil service.

Q. Do you examine the Indian applicant to see whether he is qualified?—A. Oh, yes.

Q. If they were not qualified then you would go outside and get a white; but as long as there is an Indian qualified he is employed?—A. That is the theory.

Mr. MACNICOL: I did not get your last answer.

The WITNESS: I said that is the theory; and I think generally that is the practice. I know it is sometimes difficult for an administrative officer to determine whether he should give preference to an Indian applicant as against the white applicant. But it is definitely our policy, as it is the law, that we give preference in appointment to Indians. And as I said yesterday the Indians on their side are insistent that they meet the same qualifications as any white employee.

*By Mr. Lickers:*

Q. That is the same qualification as for the civil service?—A. That is correct; and they take the civil service examinations and in that way they may become qualified as civil servants.

Q. Do they not come under the classification of civil servants when appointed under preference?—A. No, they do not.

Q. Are they not entitled to superannuation?—A. Not at all, unless they come under the regular civil service procedure, unless they pass the examinations; otherwise they do not become regular civil service employees.

Mr. CASE: Do they have to pass a civil service examination to be eligible for superannuation?

The WITNESS: Yes. Many of them have qualified as regular civil service employees after they have been on the job for a year or two.

*By Mr. Lickers:*

Q. To what part of your set-up does this preference apply?—A. There is no limitation in law.

Q. I wonder if it applied to superintendents?—A. We have a number of Indians as superintendents, and we have a number of Indians at the head office and in the district offices.

Q. Do you find any hesitancy on the part of the Indians about being governed by their own people?—A. Yes, we do find that.

Q. Is it very prevalent?—A. It is a relic, that is being destroyed. You will find in many areas that an Indian would prefer to have a white man as superintendent rather than an Indian.

Q. Is that the same with farm instructors?—A. I would say not so much so. The relation between the Indian and the employee is not the same when it comes to the question of authority, let us say, in the case of farm instructors. With the agent the situation is different. He is giving advice and helping. He is in the position of saying no when the Indian wants something. But that is breaking down, and in my judgment it must break down if we are to go ahead and require the Indians to operate their own business and carry on whatever operations they want to carry on.

*By Hon. Mr. Stirling:*

Q. Are these Indian officials accessible generally to the Indians?—A. Well, except as I have just said. There is in some cases a feeling on the part of the Indians that they would rather have a white man as a superintendent. That carries through in curious ways. Some years ago we experimented with Navajo boys and girls who wanted to teach. We took boys and girls who had had high school training but were not college graduates and put them in as apprentice teachers. At that time the Navajos protested; they said: we know these boys and girls, they do not know any more than we do; we want a white man who has been to college. I think that is breaking down but that attitude still exists in some spots. Under the procedure followed by many of the tribes now they elect their own officers. I think there the trend is becoming more modern; and the time must come in my judgment when our appointed superintendents can be withdrawn and elected officers of the tribe will carry on.

*By Mr. Lickers:*

Q. Are the Indian tribes in the agency given any voice as to the appointment of the superintendent or agent?—A. Ordinarily not. May I say there that my own feeling of the attitude of the department is that in so far as tribes want to elect their own officers and carry on their own business they

should have control; in so far as officials or representatives of the government are concerned I would say that the government have the say as to who shall be selected. Now, I recognize that there are many Indians who do not agree with that policy.

Q. Yes, the same thing applies here.—A. Naturally, we would not place on the reserve any person who is obnoxious to the people. What I mean is this: we do not ordinarily ask the Indians in advance; "is it all right if we move an agent in?"

Q. Your agents move around?—A. Yes.

Q. Is it a general policy to do that rather than to keep them in one place?—A. There are two or three points that I would like to make. One is that under civil service restrictions it is almost impossible to promote a man without moving him into a new job. The result is that the better men naturally move from the small reserves to the larger reserves where the salaries are higher. And that is one reason for moving. Another reason is that after a man has been on a reserve too long—I do not know just what is too long, sometimes it is five years, sometimes it is ten years—he has seen many of these Indians grow up, he knows them better than they know themselves, he may know too much about them, he is not always impartial. There is such a thing as having an agent on a reserve for too long a time.

Q. Does the department have any policy of training these men by having them come up through reserves and agencies?—A. Do you mean the white men or the Indians?

Q. White men or Indians.—A. Well, it is a very rare case for agents to be appointed except from the ranks.

Mr. HOEY: Pardon me, Mr. Lickers, this is rather important. Who has the authority to transfer? Suppose you have an agency Grade B here, and another one Grade A there, with salaries and other considerations different and you take this man from here and you put him over there who has that authority?

The WITNESS: That authority rests in the Secretary of the Interior, the head of the department.

Mr. HOEY: Not in the civil service commission?

The WITNESS: Not the civil service commission. They have nothing to do with appointments.

Mr. HOEY: I think that is very sensible.

*By the Chairman:*

Q. Do you favour the movement of superintendents from time to time?—A. Well, there is a third point I did not make; and that is that ordinarily it takes a superintendent at least a year to get on his feet when he is moved to a new location. Somewhere in-between you have to strike a balance. I would say that ordinarily a superintendent should not be moved unless there is good reason for it.

Q. Let me put it this way, would you favour keeping a superintendent in an agency for the duration of his natural life?—A. Ordinarily not; no.

*By Mr. Bryce:*

Q. And when there is a vacancy is there any appreciable break before you put a new man into that job?—A. Not ordinarily. Sometimes we have difficulty in making up our mind as to the successor.

Q. You don't have to wait before making appointments?—A. We like to make the appointment promptly. There is this difficulty which is merely administrative. If a man retires to-day under the law we pay him his accumulated leave, whatever that may be. During the war many of our older men accumulated as much as three months' leave. A man retires to-day and we pay him his



full salary for three months from to-day. During the intervening period we cannot fill that vacancy without spending the same dollar twice.

Mr. BRYCE: We have that same trouble. The good one Indian agent does is lost by the time a new man gets to his job.

The WITNESS: It is a practical problem but it is not insuperable.

*By Mr. Lickers:*

Q. Would you advise paying three months' leave and then hiring another man immediately?—A. I would if we had the money.

Q. It is purely a question of finances?—A. If we had ample funds I would try to have the new man come in before the old man goes out. I would try to have him come there and spend a month with the old man before he goes out.

Q. So that as far as your civil service is concerned it has absolutely no jurisdiction over your employees?—A. The civil service commission sets up certain standards, grades, qualifications.

Q. And they have a register and you can pick from that?—A. Yes, they hold examinations.

Q. They then submit three to you and then you pick from them, and they then come under your jurisdiction?—A. There is one other qualification. The civil service commission has almost complete control of what we call departmental staff, the registers for employment in Washington. For appointments in the field and for determining qualifications of the field employees we have a great deal of leeway.

*By the Chairman:*

Q. Let me get this clear. You have an Indian agency classification set-up. Then once that agent comes to the department the department can put him in either station A, B, C or D, wherever they want to?—A. That is correct.

Q. The classification is not for a particular job at a particular place?—A. Yes, the classification is for a job.

Q. For a job, but is it for a job at a particular place?—A. It may be both. Superintendents' jobs are classified by place. The superintendent at Blackfoot is a definite allocation. The superintendent at another reservation such as Fort Peck may be a grade higher or may be a grade lower. Superintendents rank from what we call grade 11 to grade 14, and they range in salary from about \$3,600 or \$3,700 up to about \$9,000.

*By Mr. MacNicol:*

Q. How much?—A. \$9,000; I think \$9,300 is the top salary.

*By the Chairman:*

Q. I do not seem to be clear on it yet. We will say you have stations A, B, C and D, all of the same salary range or classification. You have a vacancy at station B. The appointment of the superintendent is made by the civil service commission. Is it only for station B or can you move a superintendent from stations A, C or D to station B and put the new appointee in station A?—A. First of all I do not know that I have made this clear. The civil service commission does not make the appointment. The appointment is made by the department.

Q. In other words, the civil service commission only sets up what we call an eligible list?—A. That is right.

Q. And from that eligible list you may draw a replacement for any superintendency?—A. The superintendency is not a good case to pick out because there has only been one time in the last fifteen years when there has

been a register of eligible superintendents. None of them were very good. We did not take a single man off that register. Practically all of the superintendents we have are promoted from within the ranks.

Q. What I am getting at is have you the right— —A. We have the right to move a man to any one of those four places, and we could even demote him if that were necessary and place him in a position of lower rank, but ordinarily if we transfer a man whose present salary is \$5,000 we would transfer him to a place where his salary would be the same or higher.

*By Mr. Bryce:*

Q. Mr. Zimmerman, can you appoint a man in your field service and promote him or denote him without consulting the civil service commission? If he is under civil service regulations can you do that? Do you have the power to do that?—A. We have the power to do that, but if we act in a manner he does not approve he has the right to appeal to the commission.

Q. But you can promote him to a better job?—A. We can promote him without reference to the commission.

Q. He would not complain then.—A. If we demote him he may complain to the commission, and then we may have to justify our action, and the commission action is final, not ours.

*By Mr. Lickers:*

Q. In view of the fact that the Indians have the right to vote where you have precincts do they turn out in about the same number as whites?—A. I think so. When they are voting about Indian matters they turn out a little better than the whites, but in national and local elections they vote in about the same proportion.

Q. Do you operate any high schools?—A. Yes, we do.

Q. I know the Thomas Indian school. Is that still operating?—A. That is a state school. We have nothing to do with that at all. That is operated by the state.

*By Mr. Castleden:*

Q. You pay nothing to that?—A. No.

Q. No grant in any way?—A. No.

*By Mr. Lickers:*

Q. What about Carlyle?—A. It is no longer operating. We operate 18 schools away from the reservation. I think I spoke yesterday of the non-reservation boarding schools. They are all of high school grade.

Q. Those 18 are all high school grade?—A. All high school grade.

*By Mr. Case:*

Q. Do you provide transportation to the schools?—A. We do.

Q. You provide transportation?—A. Yes.

Q. That is out of your grant?—A. That is correct.

*By Mr. Lickers:*

Q. Suppose a chap from one of those 18 schools wanted to go on to university and was without funds. How much assistance would you give him, if any?—A. It would depend largely on how much he needed. We have a small loan fund which during the war was much more than we needed.

*By the Chairman:*

Q. Is it purely a loan fund?—A. We can make either loans or grants. May I correct my earlier testimony about the number of loans? This report is now nearly two years old, and it was during the war when both the boys and girls preferred to work for high wages rather than go to college, but in the fiscal year 1945 we made 82 loans.

*By Mr. Castleden:*

Q. They would be for university?—A. All university, college or university.

Q. And how many grants? Are there any grants there?—A. It does not show. The total of the loans was apparently \$17,300. That was a very big drop from the pre-war figures, and the figures this next year will be much higher.

Q. I was wondering if you could give those for a series of years if you have them handy?—A. No, I do not have them. This is only for one year.

Q. With 82 loans and \$17,000 it only amounts to about \$200?—A. Bear in mind most of the boys were of draft age.

*By Mr. Lickers:*

Q. Do the Indians have homemakers' clubs and other social agencies on the reserves?—A. Yes, they do, many of them, and also 4-H clubs.

*By the Chairman:*

Q. What are they?—A. They are for children, boys and girls. I do not know how to explain it. They are really to make better farmers.

*By Mr. Hoey:*

Q. Junior farm clubs?—A. Junior farm clubs.

*By Mr. Lickers:*

Q. Have you a special social agency connected with the department to look after these things?—A. Yes, we have a few workers connected with the schools and also some who operate independently. Their job is to work with the school children as they come out of school or in the senior year of school and prepare them for work on the farm.

Q. Is the relief which you provide to the Indians in time of distress paid in money or in goods?—A. That is paid in money. Formerly we paid in goods, and we came to the conclusion that policy should be abandoned.

Q. And in order for anyone to get that do they have to get a voucher for working, or something like that?—A. We generally require an able-bodied person to work, but most of that money goes to people who are sick or crippled or not eligible for old age benefits for one reason or another. There are very few able-bodied Indians who get any relief.

Q. As to the Indian Claims Commission which was set up last year who is that headed by?—A. It is headed by Judge Witt.

*By the Chairman:*

Q. Was he a supreme court judge?—A. No, he was a Texas judge of some sort. I do not know what his exact title was.

*By Mr. Lickers:*

Q. How many members are there on the commission?—A. There are three members on the commission. They were appointed by the president and were recently confirmed by the Senate.



Q. The Indians were not given any representation on that commission?—  
A. No, they were not.

*By the Chairman:*

Q. Are they for life?—A. The commission has a life of ten years.

*By Mr. Lickers:*

Q. Is it going to deal with the claims which any of the Canadian Indians may have against the United States?—A. I do not think the Potawatomie claim comes within the power of the claims commission. The powers of that commission are limited to claims. I think there would be nothing to prevent Canadian Indians from filing their claims. What the action of the commission would be I do not know.

Q. Perhaps some time before Mr. Zimmerman goes he might give us a breakdown of the administration right from the Indian council up to the secretary of the interior.

Mr. HOEY: I was going to suggest that the members of the committee would find it helpful if Mr. Zimmerman could give us a summary showing what the authority and powers of the commissioner are. Their administration is comparatively close-knit compared to ours. I should like to know if there is a deputy between him and the secretary to whom he reports, and to whom he is responsible. A number of the members of the committee have been asking me some rather pertinent questions about the future of Indian affairs, whether it should be a branch or department, or whether it should have a full-time minister or a minister who is in charge of other departments also. It would certainly be helpful to me if I knew just what the powers of the commissioner are. Is there a deputy to whom he reports? Is there a deputy in between him and the minister? I should like to have that on the record.

The WITNESS: Would you like that now?

Mr. BLACKMORE: Did you wish to deal with that first?

The WITNESS: I can do that very briefly. Almost all of the statutes dealing with Indian affairs place authority in the secretary of the interior who is a member of the cabinet.

*By Mr. Hoey:*

Q. He is equivalent to our minister?—A. Yes. The department has an under-secretary and two assistant secretaries each of whom has the same authority as the secretary in the absence of the secretary, and also has certain delegated authority even if the secretary is present. In other words, certain routine matters do not go to the secretary personally but are handled by the assistants. The secretary has power to delegate to the commissioner any power which the secretary has, and the secretary did delegate last year any and all powers which he had to the commissioner. The commissioner has further delegated to the two assistant commissioners all the powers that were delegated to him, and the commissioner has also delegated to these district directors certain specified powers. I should be very glad to supply for the record or for the use of the committee copies of those various delegation orders. They may be of some interest.

Q. Have you a chart of your administrative set-up?—A. I have some charts. They are not quite up to date. The purpose of these delegations, which I think I mentioned yesterday, is to relieve the central office and the top administrative staff of the burden of making decisions in individual cases. The purpose is to limit the operation of the central office to policy decisions rather than the application of policy to particular cases. The burden of work has been increasing so rapidly in the central office it is just humanly impossible to carry it.

Q. Is there any single official above the commissioner to whom you have to submit your estimates for approval before you take them to congress?—A. We have in the department a budget officer.

Q. He is not above the commissioner, is he?—A. He is not above. He is alongside, if I may say so. He is responsible to the secretary. He reviews the budget. As a matter of fact, the secretary may review the budget himself. In practice the secretary does review the more important items.

Q. Let me put it another way. You prepare your estimates. Is there any official, regardless of his name, other than the secretary and congress, who has the right to say to the commissioner, "you must cut this out", or "put this in"?—A. Anyone in the department who has authority from the secretary, regardless of what his title is, speaks for the secretary. There are people in the department who have that authority.

Q. Would he have power to say to the commissioner before the commissioner goes to the secretary personally or to congress, "You must reduce your appropriation"?—A. Yes, but I would have the right to appeal from that decision to the secretary. The secretary controls the over-all budget for his department, and he may very well decide that instead of asking for \$45,000,000 for Indians he wants to chop off \$5,000,000 there and add \$5,000,000 for research in mines or some other field of activity.

Q. You do not need to answer this question unless you want to. Would you say that the commissioner has all the freedom and authority that you think he should have to administer Indian affairs of the United States effectively? Would you say he was hampered? I am not thinking of the financial end of it and congress because I can appreciate that situation. Have you encountered any limitations that result in delays that might be removed by extending greater authority to the commissioner?—A. I do not know of any hampering or restrictive regulations that interfere much. The commissioner really has almost complete power now to operate subject to review by the secretary and subject to appeals from his decision.

*By Mr. Reid:*

Q. The picture would not be complete without mentioning to the committee that even after the budget is made up by the officials of your department and by the secretary it must then run the gauntlet of the criticism of the Senate and the budget committee who can do anything they like with it?—A. That is correct. Even before it goes to congress it is reviewed by the bureau of the budget. The bureau of the budget acts as the arm of the president. It is always true the bureau of the budget reduces whatever requests we make in an effort to bring our requests in line with the requests from all other central agencies. Then the total budget is submitted at one time to congress.

*By Mr. Blackmore:*

Q. Have you any avenue whereby you can present your case as against their decision giving reasons why your appropriation should not be reduced?—A. Yes, we have, but it is not easy to do it. Under instructions if we appear before a congressional committee we are forbidden to ask for more money than there is in the request in the official budget.

Q. As it leaves the treasury board? I presume this bureau of yours corresponds to our treasury board?—A. I think so. Of course, it is not impossible if you have a friendly member of congress on the other side of the table to suggest to him that he ask you some questions, "How much do you need? How much did you ask the bureau of the budget to give you? Did the secretary reduce your estimates?", and so on. Members of congress feel free to ask questions of that kind. Then if they ask questions we feel free to reply.

*By Mr. Castleden:*

Q. Have they reduced estimates previously? What amount did you receive last year?—A. We had about \$42,000,000. I see Mr. MacInnes does not agree with me.

Mr. MACINNES: I had some figures that were given to me by your budget officer. I will see if I can find them here.

The WITNESS: I think that is close enough.

*By Mr. Castleden:*

Q. Do you have supplementary estimates also?—A. Yes sir, we do.

*By Mr. Blackmore:*

Q. While he is looking up those figures I wonder if I could supplement Mr. Lickers' request by asking Mr. Zimmerman to tell us by what means a band desiring to present its case even to Congress can make its appeal through their congressmen, through their senator or through what other officials?—A. It can be done in that way. It can be done through a member of Congress. Many of the bands send representatives to Washington.

*By Mr. Castleden:*

Q. Have they their own organizations?—A. They have their own organizations, and if they have the funds they may use them to pay the expenses of a delegation to Washington, and the committees will hear them personally.

*By Mr. Harkness:*

Q. Committees of Congress?—A. Yes.

*By Mr. Blackmore:*

Q. The committees do not have any authority to refuse to hear them?—A. Oh yes, a committee of Congress can refuse to hear anybody.

*By the Chairman:*

Q. I believe you have a standing committee on Indian affairs?—A. We have a standing committee in both houses on Indian affairs. It is now a subcommittee of the committee on public lands, but they are standing committees.

*By Mr. Hoey:*

Q. Does it meet annually?—A. I regret to say it meets almost every week, and sometimes almost every day.

*By Mr. Case:*

Q. Tell me who pays the teacher's salary where the Indians form a local school district of their own?—A. In some cases the federal government has paid those salaries.

Q. But there is no hard and fast rule?—A. No, and in a number of cases we have taken over public school districts because they ran out of money.

Q. You do not pay the teachers where there is a denominational school?—A. No, we do not. There we pay to the institution or to a mission board.

*By Mr. Castleden:*

Q. What is the general attitude of your department towards Indian organizations? Do you encourage them?—A. Yes, we do.



Q. By any grant or assistance in any way?—A. No. There is a weakness there. Indian organizations, tribal organizations, are allowed to use only their own funds. There are many cases where it would be helpful if we had money to permit an organization to get under way, or money to permit a tribe to send a delegation to Washington even though they had no money of their own. We have no funds.

Mr. MACNICOL: We have the opinion here the United States has all the money in the world.

*By Mr. Castleden:*

Q. Is there any representation or recognition given to any of the Indian organizations on any of your boards or in any section of your department when they wish to make representations to your department or to your committee on Indian affairs?—A. The tribes send delegations to our office. We negotiate with the delegations, and we negotiate with the boards. I and members of the staff frequently go to the reservations and sit down with the councils and discuss their problems with them, go over their plans.

Q. In other words, you have found Indian organizations to be a good thing?—A. On the whole, yes.

*By Mr. Hoey:*

Q. Mr. Zimmerman, have any of the Indian organizations a permanent representative at Chicago or Washington with whom they can communicate on the problems as they arise?—A. There is only one organization called the National Congress of Indians which does that. I should think it has among its membership perhaps one-third of the tribes. They maintain an office in Washington and have a permanent representative.

*By Mr. MacNicol:*

Q. An Indian representative?—A. Yes, a woman who is an Indian.

*By the Chairman:*

Q. Sort of a lobbyist?—A. Sort of a lobbyist. As a matter of fact, any of the Indians may correspond with her. Many of them do even though their tribe does not belong to the organization.

Mr. HOEY: I would think that would be helpful.

*By Mr. Lickers:*

Q. How is she financed?—A. Largely by contributions by the tribes. Some of the tribes have contributed to a pool. If I remember rightly I think the Blackfeet tribe contributes \$1,000. I think that is an annual contribution.

*By the Chairman:*

Q. Is there any contribution by the government?—A. No. The government does not control the organization and does not want to control it.

*By Mr. Case:*

Q. Where you do not pay the district teacher how do they qualify for superannuation?—A. You mean a public school teacher?

Q. Yes. You say you do not always pay the teacher. How does that teacher qualify for superannuation?—A. That teacher would not be a part of the federal system. She may qualify under the state or other system.

*By Mr. MacNicol:*

Q. We read in the press about the Oklahoma Indian tribes being very wealthy as a result of oil having been found in Oklahoma. Does the department regulate how much money they get for their oil royalties? What is the program they follow there?—A. Leases were made by the Indians with our approval. The lease is not valid unless we approve it. The money is then paid to us and then paid out to the Indians in accordance with the regulations and the statutes.

Q. Are they as rich as the press tells us they are?—A. No, there are a few Indians who are rich, but not very many.

Q. From oil?—A. Yes, sir. It is not a very large number.

*By Mr. Castleden:*

Q. But the money they receive from that is completely under the control of their own band?—A. No. I do not want to burden you with the details but there is much confusion about it. The Osage tribe, which is well known as being a so-called rich tribe, reserved to itself all of the mineral rites underlying the tribal reservation. Surface rites were allotted to individuals. The tribal roll was closed as of 1906, and as of that date there were 2,229 members. Since then the membership has almost doubled. There are now about 4,500 members, and the present members inherit these head rites. There is one Osage who owns eight head rites. She inherited from her father, mother, aunt, uncle and some brothers and sisters, but most of the persons have less than one head rite. Last year the tribe had substantial revenue, somewhere in the neighborhood of \$2,500,000, which was distributed in accordance with their head rites, but no one Indian had very much money out of it. In other words, most of the Indians have a fraction of a head rite, rather than a multiplicity.

Q. The newspapers show pictures of them going into town in very flashy cars and all dolled up like millionaires.—A. That is in the flush days. In the flush days the income per head rite was above \$15,000. Last year the head-rite income was about \$1,200 to \$1,300. I want to make it clear that not all the Osage are rich. The Osage in 1906 received the head-rite and since 1907 he has had six or eight children and each one of those children only has a fraction of the head-rite. He has to work for a living.

The CHAIRMAN: Gentlemen, it is one o'clock. Unfortunately Mr. Zimmerman leaves this afternoon so we shall not have an opportunity of hearing from him further.

Mr. REID: He will not be here this afternoon?

The CHAIRMAN: No, he is leaving at four o'clock. So on behalf of the committee—

The WITNESS: May I just say this off the record?

(Discussion continued off the record.)

The CHAIRMAN: Mr. Zimmerman has been good enough to change his plans and he will not be departing until the train which leaves at 6.45 daylight saving time, so we will meet again this afternoon at four o'clock.

Mr. MACNICOL: I have just one question I want to ask as I shall not be able to be here this afternoon. I would like your permission to ask it now. I want to say that Mr. Zimmerman has been very kind in giving us so much of his time and so much valuable information. What I want to ask you now is this: do you find that the Indians in your service give any better service than the white men or do they give as good service as the white employee? Do you find any difference between white and Indian employees?

The WITNESS: I cannot see that there is any difference. We hold them both up to the same standards and we expect the same standard of performance.

*By Mr. Case:*

Q. Do you find any preference as between men and women teachers?—A. No, I do not think so.

Q. Do you pay them according to the same salary scale?—A. Yes, we pay the same salary schedule for the same job.

The committee adjourned at 1.00 p.m. to meet again this day at 4 p.m.

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## AFTERNOON SESSION

The committee resumed at 3.30 p.m.

The CHAIRMAN: Order, gentlemen. I see a quorum and we will proceed. I think Mr. Lickers has some questions he wants to ask.

**William Zimmerman, Jr., recalled:***By Mr. Lickers:*

Q. Yes, Mr. Chairman. In connection with residential schools, Mr. Zimmerman, do the children there attend the school a day or half a day?—A. Ordinarily they attend a full school day?

Q. Have they any agricultural units in connection with those schools?—A. Yes, and many others too. Many of the schools have courses in agriculture, and as part of the school work the children do work on the farms. The emphasis is not on doing the work for its own sake, the emphasis is on doing the work by way of instruction.

Q. Would you have sufficient help in connection with the schools that the children would not actually have to do all the manual work?—A. They do not do any work. There will always be adults to supervise. For instance, over the dairy herds there is a dairyman who is responsible. We have moved away from the old practice of requiring the children to work as a part of the administration.

Q. They still do the chores?—A. They still do some chores.

Q. Yes; you have found out that you are getting better results now than you did before?—A. I think so. We try to take the boy, for instance, who wants to go into the cattle business when he graduates and give him experience of a kind that will give him a right start. In most of the schools provision is made for some payment for the work that he does. It is not unusual to have a boy graduate from the school and be the owner of one or two cows, maybe two pigs and some other animals.

Q. The work at the school there, we will say along agricultural lines, is that tied in with the younger people in connection with the reserves? Do the older people on the reserve have an opportunity of going there and receiving practical instruction in agriculture and things like that?—A. That varies, I am sorry to say, with the local situation. In some locations the school is in a community where it forms sort of a community centre and the adults use it freely for many purposes. It may be for instruction outside of school hours, or they may use the kitchen or part of the equipment. It is a common sight to go into the schools on a Saturday or after hours and see the women sewing, using the sewing machines and using the washing machines to do the family washing, and other things of that kind. The man may be repairing his wagon, using the school equipment. That is the kind of activity which is generally encouraged.



Q. That is right in connection with the reserve itself?—A. Yes, on the reserve.

Q. And the children who stay there, are they allowed to go home week ends and holidays?—A. Ordinarily they stay through the school year, except at regular vacation periods. We do maintain some schools on a five-day boarding basis; that is the children go home Friday night and come back Monday morning; but most of the boarding schools are operated on an eight and half to nine month basis and the children stay throughout the year.

Q. Is there any mingling between the boys and the girls other than in the classroom?—A. In the dormitories, do you mean; or outside?

Q. Outside, in employment?—A. Oh, yes. We have an idea which we can not realize probably because it costs too much, but we have a number of schools which we built in the nature of an experiment. They were built on the cottage plan with a small number of boys and girls and one or two teachers in each section. I have, for instance, been in a school where there were twelve boys and twelve girls living in one building, the boys on one side and the girls on the other. The girls took their turn doing all the cooking and all the house-keeping, and the boys do their own housekeeping in their own part of the building.

Q. One other question I would like to ask in connection with hunting and fishing. Have the Indians maintained their hunting and fishing rights in the unceded territories?—A. That is correct.

Q. What about their hunting and fishing rights in the ceded territories?—A. The ceded territories have now with one or two exceptions all been re-ceded back to the Indians. It is our view that the treaty rights still adhered to—

(Statement continued off the record.)

I might say that the greatest difficulty we have is with commercial fishing. With sport hunting and sport fishing it is not the same; that does not cause the same amount of trouble. The sportsman who wants to go on an Indian reserve because he can shoot big game is not troubled by the fact that he has to conform to certain Indian regulations, has to pay a licence there as well as paying a licence to the state. Our major difficulty is with the commercial fisheries.

*By Mr. Bryce:*

Q. Would you say that the day school is preferable to the boarding school for Indians and Indian families?—A. Yes, sir, I do. My belief is that in the absence of adverse circumstances the day school is best for the children and the family. The removal of the child from the family is not very good either for the child or for the parents.

Q. You agree with me that the contact that the child has with the father and mother is an important element in adult education?—A. It is very desirable. It is also desirable that the parents feel some responsibility for the child. It is not good for the parent ordinarily to feel that the government is going to take full responsibility for the child. Even nowadays it is not uncommon for a parent to come in and say: "you spank my child, I don't want to do it." I think that is a bad family situation.

Mr. CASTLEDEN: That is real paternalism.

The WITNESS: I don't know what it is, but I think it is bad.

*By Mr. Reid:*

Q. I have a question I want to ask regarding vocational schools which I take it are comparable to technical high schools here. My question is this: how successful have graduates from such schools been? I have in mind those

who are trained as carpenters, mechanics and so on. Also, at what age do the children usually go into such schools, and then what success do they meet with when they graduate and go out to work?—A. My answer to that will be very general because I cannot give you much detail. On the whole the standard of instruction is high. As a rule when the boys graduate in machine work and go out they have no difficulty in finding employment away from the school and away from the reserve. That was particularly true during the war. We maintained a school in California which gave a number of special courses in aircraft construction. It was a sort of forcing course, and practically without exception every one of the boys who came out of that school found immediate employment with one airplane manufacturer or another in California. The Indians are good mechanics.

Mr. CASE: And they have natural aptitude?

The WITNESS: They need to be taught the care and use of machinery. The Indian who is careless will wreck a machine just as quickly, perhaps more quickly, than a white employee; but he generally has aptitude and can learn the skills, and he turns out to be an excellent mechanic.

*By Mr. Reid:*

Q. What contribution do you make to children who are going to public schools operated by the state; what contribution do you make per pupil?—A. We make contributions only in a few cases. That is, there are some 30,000 children in public schools and for most of them we make no contribution. We make contributions to a number of states and to a large number of school districts, but in no case do we pay the full cost of the education. We attempt to equalize the load on the poorer school district.

Q. You referred to hospitals, have you any T.B. hospitals for the Indians?—A. Yes, we have a number of separate institutions.

Q. Are they operated by the federal government?—A. They are operated by the federal government.

Q. Do you have occasion to put Indians in private hospitals; or, do you put Indians into private hospitals, and how is that handled, what do you pay?—

A. Nowadays we pay whatever the hospital requires. For T.B. we have arranged with some private institutions. We have, for instance in North Dakota, an arrangement with the state to have the Indian tubercular patients put into the state sanitarium and we pay a per diem charge for the care of those patients.

Q. Would you care to say a word about the homes of Indians; have you any housing policy to improve the homes of Indians throughout the United States?—

A. Housing is one of the acute problems. Shortly before the war broke out we made a survey of Indian homes and we found that there were at least 10,000 families who had either no home at all or had grossly inadequate homes, homes in fact which were not fit to live in. We started a program of rehabilitation which the war interrupted. For a number of years we were specially directed by Congress not to spend any money for housing. This year Congress has reversed its policy and said that the relief money that is appropriated may be spent for housing, but they have reduced the amount of money.

The CHAIRMAN: What about loans for housing, is that made in the way of loan or grant?

The WITNESS: It could be a grant. These funds are funds which we had originally in an item in our budget for relief and rehabilitation; at one time the rehabilitation fund was in the neighbourhood of a million dollars. With a fund of that size we could do considerable work in repair and construction, but during the war that fund has gradually faded away. We can now make loans, and we are making a few loans out of our general loan fund, but we are not very anxious to do it because the housing loan should be made for a long term of years, and the loans which we seek under that fund are loans which are productive.

Mr. CASE: How many years did you say a housing loan should be made for?

The WITNESS: I should think not less than fifteen years. Between fifteen and twenty-five years; it depends on circumstances.

Mr. HOEY: Can they secure loans out of what we will call that revolving fund of yours for housing?

The WITNESS: Yes, sir.

Mr. HOEY: Are they payable in five years?

The WITNESS: No, there is no statutory or other limitation as to time.

Mr. HOEY: What interest do you charge, one per cent?

The WITNESS: The Indians who borrow money out of that fund as individuals generally pay three per cent, sometimes four per cent. In so far as possible we make the loan to the tribe, the group, not to the individual. There are two good reasons for that; one is that the tribe help to make the loan and the tribal council or tribal loan board or credit committee or whatever it is has much information about the individual that the officials would not have. Ordinarily we would not make a loan or approve a loan without the consent and approval of the tribal committee.

Mr. HOEY: The tribe, or band as we would call it, can borrow from that extension fund with the object of undertaking better housing?

The WITNESS: That is right. That has been done. One band about ten years ago borrowed something in the neighbourhood of \$200,000.

Mr. HOEY: Do you provide plans for improving Indian homes? Have you plans for building houses?

The WITNESS: We have not attempted to do that. We have made some master plans, or standard plans, but we do not require that they be used.

Mr. HOEY: In the better climates, like California and the south, are there any Indians there living in tents or tepees?

The WITNESS: Yes, and there are some even in the northern areas who live in tents for lack of better shelter. Some in the south live in tents or live in wickieups as the Apaches call them, which are shelters made of straw or leaves and open to the breeze.

*By Mr. Reid:*

Q. Apart from the benefit of the new home constructed for the Indian do you notice a difference in the Indian, an uplift of the Indian by providing better homes?—A. Yes, there is a marked difference.

Q. They respond to that?—A. Surely. An Indian does not want to live in filth and in poverty any more than you and I do. If the opportunity is given to him in most cases he will respond. He will take care of that property.

Q. As to Indians crossing the line from Canada do you look on them all as Indians, or do you differentiate between United States Indians and Canadian Indians? You can answer off the record if you want to.—A. No. Sometimes they are a problem. We do differentiate, and within recent years we have returned a few to Canada. In a few cases tribal rolls have been established. For instance, the Chippewas at Turtle Mountain established their final roll some years ago, and a number of Canadian Indians sought enrolment and were denied. At least, the evidence seemed to indicate they were Canadian Indians.

*By Mr. Hoey:*

Q. Do you look upon the Canadian Indian as having the right to go to United States and establish himself there at any time? Under your Immigration Act, of course, he has the right of entry. How do you look upon him, anyway?—A. There was a complete revision of the immigration and naturalization



statute some three or four years ago. Prior to that time a Canadian Indian could not be naturalized, but under the present law he may be. Any Canadian Indian is eligible for naturalization and for citizenship.

Q. Then he can come in at any time and establish himself without interference by your immigration people?—A. That is correct.

Q. But without the consent of the band he cannot go on a reservation? He would not have any claim on reserve land?—A. He does not have any claim, but in many cases he has relatives. It is a problem on some of the reservations. I have in mind New York. I have heard the same story in the state of Washington that the Indians from British Columbia come down there. They have relatives and friends. Sometimes it is hard. It works both ways.

Mr. REID: That is why I asked you. I know of cases where the Indian works it both ways. One time he says he is a United States Indian and the next time he says he is a Canadian Indian.

Mr. CASTLEDEN: We had a large immigration of the Sioux Indians into Canada.

The WITNESS: The army was behind them.

*By Mr. Castleden:*

Q. They would not be permitted to go back?—A. I do not see why not.

Q. I know that Indians from other tribes such as the Cree and the Salteaux have come to Canada from the United States. They have relatives in some band and are accepted into the band in Canada.

Mr. HOEY: The Sioux would have the right to go back?

Mr. MACINNIS: The Sioux Indians would be in the same position as any other Canadian Indians. By an executive order by the ministry of immigration pursuant to a provision in the Immigration Act there is no quota regulation or restriction, so that the Canadian Indian can enter the United States. There is the same right for any Canadian Indian. Since you have asked me about that there is a question I was asked and which I should like to put, if I may be permitted, Mr. Chairman. If an American Indian comes over to Canada and meets with an accident or illness do you pay any hospital expenses outside of his own country for him.

The WITNESS: I do not know of any prohibition against payment.

*By Mr. MacInnis:*

Q. In the natural course of events through your service would you be responsible for looking after his expenses and bringing him home?—A. Well, offhand I do not recall any such case. I do not know whether we have actually faced it. We are reluctant to pursue the Indian even within the United States, but in many cases it might work a hardship.

Mr. CASE: You might return the compliment and ask what we would do.

The WITNESS: I would trust to your generosity.

*By Mr. Reid:*

Q. I have one further question. Did I hear you say that you print books and some of your material?—A. Yes.

Q. Have you a department of that kind?—A. Yes, we have.

Q. Would you mind telling us about it?—A. We found in dealing with children who come into school without any previous knowledge of English, and with parents who have no knowledge of English, that the ordinary textbooks for primary grades were almost ununderstandable. We still have Indians who have not ever seen a fire engine or perhaps have not seen a locomotive or a skyscraper or a street car. First readers and second readers that dealt with

city life did not make any appeal. We have had some special readers prepared for the Indian children dealing with the life they know about, cows and pigs, father and mother, and the things they can understand. They at least recognize the picture.

*By Mr. Case:*

Q. That is for primary instruction?—A. Primarily for primary instruction. We found that it hastens the learning of English. One side is Navajo or Sioux and the other side is English. It is not possible to do that for all of the Indian tribes. Some of the groups are so small it is not possible, but for some of the larger groups we have found it very helpful.

*By Mr. Lickers:*

Q. What about teaching them their own history?—A. We try to do that, and in most of the schools some attention is given to that in the higher grades, not in the primary grades. I would be very glad to send you some of those booklets for you to look at.

Mr. REID: I think that would be very helpful.

Mr. CASE: I might say that possibly the general committee are not acquainted with the fact, but the subcommittee on Indian education have already been advised we have a similar set of books now with which we hope to teach basic English in three months. I am sure we would be very glad to have yours as a sample so that we might compare them, but the educational section of the Department of Indian Affairs have adopted that. I imagine it is along the same lines you are speaking about.

The WITNESS: Shall I send them?

The CHAIRMAN: Yes, we would be very happy to have them.

*By Mr. Case:*

Q. I am going to relate this to education. I have one question outside of that a little later. Some of these were answered this morning. How many residential schools have you changed to day schools?—A. I would have to answer that by saying the trend is in the other direction.

Q. The trend is in the other direction?—A. On the larger reservations we have had difficulty in getting enough money to maintain roads. During the war we were not able to buy buses. We had to discontinue the operation of many bus lines with the result that the Indians themselves built temporary shelters for the children. Many of the parents insisted that the children go but realized they could not walk to school ten, twelve or fifteen miles. They worked out plans locally with the Indians and in many cases the Indians provided help in temporary dormitories.

Q. That would be accepted to-day as a type of residential school?—A. There is a sort of compromise there between the day school and the more formal residential school.

Q. It would be fair to say you actually have more residential schools now than you had prior to the war?—A. I think that is correct.

Q. Normally you do provide transportation for them, and that has necessitated this temporary arrangement?—A. That is right.

Q. Now, of course, you have had experience in converting residential schools to day schools? You have had that experience?—A. Not very many.

Q. But some?—A. Offhand I do not recall any, but there may have been some. We have closed some residential schools completely.

Q. My next question which related to that directly would hardly fit in, that is to say, I was anxious to know if the attendance had been maintained

at the former or a better level, but if you have not been converting residential schools there is no comparison to be made there.—A. The residential school naturally results in more regular attendance.

Q. More regular?—A. Yes, sir. I think that is a general rule. That is more particularly noticeable on the larger reservations. Take one or two of the large reservations in the southwest where the population is scattered and where the average is perhaps one family to the square mile. A bus route is a long route in order to pick up enough children to maintain a day school. The child may live a mile from the nearest bus stop or half a mile. If it is a bad, snowy day and very cold, or something of that sort, maybe the child does not take the bus.

Q. Some of your reserves will still be in fairly remote areas of the United States?—A. Most of them are accessible by road or by rail although one or two of the large ones are not. The Navajo has villages that are 150 miles from the nearest railroad station.

Q. You have said you have no preference whether the teachers are men or women?—A. Except in the remote areas. For example, in Alaska we usually endeavour to get a married couple. It is not desirable to do otherwise in a remote village where the teacher and his wife or the teacher and her husband and perhaps one trader and a missionary are the only white people in the area, and the next village is 150 miles away.

*By the Chairman:*

Q. You said the teacher and her husband?—A. It varies. Sometimes it is that, or it may be the teacher and his wife.

Q. Do we have many women teachers who are married?—A. Yes.

Q. What do the husbands do?—A. He usually is the janitor, carpenter, and man of all work. He is hired as an assistant.

Q. Do we have that very much? The answer is "yes" from Colonel Neary.

*By Mr. Case:*

Q. In the matter of salary do you make any difference between the salary paid to men and the women?—A. Not on that basis.

Q. Equal pay for equal work.—A. That is right.

Q. I have one other question. Yesterday you remarked you were encouraging the establishment of factories on reserves, industrial development. That is what I understood you to say.—A. That is a hope rather than a present fact.

Q. That is what you hope to encourage?—A. We have helped to finance a number of factories, a cannery, for example, and I believe it will be necessary if the Indians remain on some of the poorer reserves to find some means of support other than farming. There just is not available enough farm land to support the population.

Q. What I am interested in knowing in relation to that is will the Indians who work in that factory on the reserve and earn their livelihood there be liable for income tax on the money they earn?—A. I should think so. They would certainly be liable for federal income tax.

*By Mr. Hoey:*

Q. In that connection have you had much success in the establishment and operation of cooperative stores by Indians on the reserves or in wholesaling, purchasing in bulk and distribution by the Indians?—A. Our experience has been varied. We have had both good and bad results. We have some cooperative stores that are functioning very well. I have in mind one place maintained by a relatively primitive group of Apaches in New Mexico. They bought out the trader who had been in that area for many years. We made them a loan;



of upwards of \$100,000 to buy the property outright. That store does practically all the business on the reserve. The Indians buy what they need from the store and they sell through or to the store their wool and lambs. The store makes a profit both ways and the Indians get a customer's dividend.

Q. Is it managed by the Indians?—A. No, unfortunately, it is still managed by a white man. We are embarking on a much more hazardous adventure in Alaska. In Alaska there are about 40 so-called native stores. With very few exceptions they were started by natives themselves and often prior to the time we had this loan fund. We have, in the last few years, helped to refinance some of them and we are in the process of organizing a central buying and marketing organization to which the stores will contribute part of the capital. I am hopeful that it will work out very well. I say it is hazardous because the merchandise turned over in those remote areas is very small and the margin is very narrow. Most of those stores buy once a year and the average turn-over will not be more than  $1\frac{1}{4}$  to  $1\frac{1}{2}$  times. They supplement their purchases during the year but there is not very much margin and I should say those stores would have difficulty in making a profit.

Q. Yes, I know they would. That is what I had in mind. Have you organized or attempted to organize any mutual insurance companies or have the Indians attempted to organize them? That is for the protection of their own property?—A. No, we have not. I do not know of any insurance company or group.

Q. You have no credit unions?—A. Yes, we have some credit unions.

Q. Very many?—A. Not very many. Most of the tribes either have their own money or something contributed to them out of the loan fund which they may lend.

*By the Chairman:*

Q. Where do they get this money?—A. The tribal money?

Q. Yes.—A. Much of it has been in the treasury for a long time. It may have come in from the sale of land or it may have been from oil royalties or from various other sources.

*By Mr. Castleden:*

Q. You call those trust funds?—A. Part of the trust funds of the treasury. Many of the tribes are making loans from the funds.

Q. Is any money taken from those funds to assist in paying relief to indigent people?—A. Yes, some of it is used for that purpose.

Q. How do you differentiate when you take that money, as against the trust funds, when you take it from the ordinary revenue or appropriation?—A. We would not take it out of trust funds except by request from the band.

Q. By request of the band?—A. Yes, sir. If we received a resolution from a band asking congress to let them call upon that money we would appropriate it and make the presentation.

Q. Supposing there was some need for it on the reserve and congress refused to meet the request?—A. We would try to meet it then out of the relief fund that we have.

Q. Can you give us any estimate as to the cost, in the different states, with respect first to education; second to relief; and third to roads and irrigation projects?—A. No, I do not have any figures. I do not think I could supply what you want. I could get you a few figures showing what the state provided under the social security plan.

Q. For Indians?—A. Yes.

Q. Would that include what they pay in education?—A. No, it would not.

Q. Another question is with regard to preventive medicine. Sometime ago I believe you undertook a survey and went into the whole problem of preventive medicine. Do you still continue to conduct surveys in connection with Indians, say yearly?—A. No, not an over-all survey.

Q. What about health education among the Indians themselves?—A. That is a part really, of the educational curriculum. There is some attention given to that in almost all schools.

Q. In Canada we have some difficulty with wells and water and sanitation on the reserve?—A. Yes, we have difficulty too.

Q. Do you carry out some project along that line in conjunction with the Indians to inform them as to the necessity of keeping a good water supply?—A. Yes, we try to do that. We have had some difficulty in persuading congress that it is a federal responsibility to provide domestic water. For some reason or other there is a distinction drawn by congress between stock water and domestic water.

Q. You have carried out large projects in connection with irrigation work and you have made large appropriations?—A. Yes.

Q. What has your expenditure been in connection with that?—A. The over-all expenditure?

Q. Well say in one year?—A. It varies greatly. Over the years I think the total investment in irrigation works must be in the neighbourhood of \$50,000,000.

Q. In trying to make a reserve which is not economically capable of supporting the people, have you funds upon which you can draw to provide for irrigation or other expansion? I was thinking that, no matter how much we tried to do for the Indians, if they are not economically able to provide for themselves you are going to have a continuing problem.—A. That is correct. Let me say in connection with irrigation projects we have a peculiar provision. Congress passed a statute in 1932 by which these capital investments in irrigation projects remain as a lien against the land but they are not collectable so long as the land remains under Indian ownership.

Q. It will be collectable if at some future date the land is sold?—A. Yes, if at some future date the land should be sold that debt, as a result of that irrigation construction, will be due to the United States. Now the current operational expenses are paid in part by the Indians. There is an annual assessment against each acre of land within the project and ordinarily that must be paid or the water will not be delivered to the acreage.

Q. I have one other question. Do you give any special assistance to the young Indian couples starting up in the way of finances, or implements, or stock?—A. There is no special provision for that. Frankly I think it is one of the places where we are not adequately prepared. There is very often a gap between the boy and girl who graduate from school and the adult who is able to get along on his own feet. It is very natural for the extension workers, and other people who are interested in making a showing, to take an older person and give him help rather than the boy and girl just starting out who need the help even more than the older man who has had some experience.

Q. That would be a case where the loan might also be used?—A. Yes. But we have had some difficulty because of the law. An Indian boy of less than twenty-one is not legally liable for his debts. We have managed to get around that by having some relative sign his note and then he re-signs it when he comes of age.

*By Hon. Mr. Stirling:*

Q. Has Mr. Zimmerman given us any story with regard to mining on the reserves? I am thinking of geological surveys and prospecting which may have been carried out on them?—A. No, I have not covered that.



Q. Is mining carried out on any of the reserves by any of the Indians?—A. No, not by Indians. There is a little mining done by Indians but most of it is done under lease and as a result the Indian gets a royalty. There are zinc and lead mines on Indian lands and there is some copper, considerable coal. A few of the coal mines are operated by Indians. There are also oil leases and gas leases.

Q. Are there any placer workings?—A. No, I do not know of any. The ordinary arrangement is that they lease the land for mining purposes and the leases vary somewhat. Generally the lease terminates at the end of ten years but sometimes it runs as long thereafter as it is commercially productive. Usually, however, there is some time limit on them.

*By Mr. Brunelle:*

Q. You were speaking of certain work on the reservations like irrigation? Is the maintenance of this work, and the repair to it, left in the hands of the Indians?—A. In a few cases, yes. In most cases the repair work and maintenance is done under the supervision of a departmental employee.

Q. When it has been left to the Indians what has been your experience?—A. Let me explain. In some of the southwestern groups, the traditional discipline still maintains. In the Pueblos for example, every able-bodied Indian is required as a matter of internal discipline to contribute some labour for the maintenance of their irrigation ditches. Any main construction, for instance, a diversion dam or something of that sort, would be our responsibility and the cost has been provided, heretofore, out of federal funds. The ordinary maintenance, the clearing away of the brush on the side of the banks and that sort of work, has been done by the Indians themselves. That is not the rule in the larger irrigation projects. In the larger irrigation projects the repair work is done with the aid of machinery.

Q. Now I had another question following the point raised this morning by Mr. Blackmore. When one of your Indians leaves the reserve to work in the city can he always absolutely freely return to the reserve without having to comply with any other conditions?—A. So far as the government is concerned he is entirely free to come and go. Now I think I said yesterday that some of the tribes have adopted constitutions with limitations respecting membership. I have in mind one tribe which said "If you move away and stay away for five years or longer you forfeit your membership"; but in the absence of that kind of provision in their constitution ordinarily any member may return.

Q. It is a matter of a rule made by the tribe?—A. Yes, it is a matter of tribal control and not of the federal government.

*By Mr. Blackmore:*

Q. The matter of Indian native religion has been brought to our attention two or three times and I wonder if you would mind telling us what you have done in the way of encouraging native religion or discouraging it? One Indian came before us—one chief—who expressed the view that the native religion made just as good men as the christian religion. I am wondering if you have given that matter any thought?

MR. REID: He had better speak off the record on that.

THE WITNESS: No, I have no hesitation in saying that the official policy is to permit complete freedom in the matter of religious beliefs and religious exercises. The policy of the government some years ago—perhaps prior to 1930—was very definitely to suppress native religions; the announced policy to-day is to permit the Indian to believe or practise what he wishes to believe.

Q. Suppose that a hypothetical case of this sort were to come to your attention: an Indian band desired to establish a residential school under an Indian religious organization; would the government be prepared to advance



support on as generous a scale as that which prevails in the case of Roman Catholic or Protestant schools?—A. We would not be faced with that kind of a problem. Under the constitution we could not maintain the full cost of such an institution.

Q. You do contribute generously to the maintenance of Roman Catholic schools, do you not?—A. I would not say generously.

Q. What would be the word?—A. Well, I think we contribute not even the full cost, I would say, in many cases of maintaining the children.

Q. Do you build the schools for them?—A. No, we do not.

Mr. CASE: You do not pay the teacher?

The WITNESS: We do not pay the teacher.

Mr. CASTLEDEN: Do you give a per capita annual grant?

The WITNESS: We make a grant to the institution on the per capita basis for so many children.

Mr. BLACKMORE: Provided that it meets with certain specifications?

*By the Chairman:*

Q. You say that you do pay on a per capita basis. What do you mean? A uniform per capita basis all over the country?—A. No; it varies with the school.

Q. Why do you say it is on a per capita basis?—A. Well, whatever the sum, it is a payment based on a fixed sum per child.

Mr. HOEY: We always refer to our residential school grants as per capita grants; so much per pupil per annum.

The CHAIRMAN: We have some term that we have used in this committee, but I cannot think what it is.

Mr. NEARY: Weighted educational unit.

*By Mr. Case:*

Q. Mr. Blackmore questioned you about the native religion, but I suppose you would insist that all instruction in your schools is in English, as they could not use the native tongue in their schools?—A. I do not see why they should not, and in at least one instance we have been teaching children in Navajo. I see no reason—

Q. It would not deprive them of any consideration you might give them by way of grants, no matter what language they talked in, whether Hindu or anything else?—A. I do not see that it would make any difference. As I say, we do not have to face that problem.

*By Mr. Blackmore:*

Q. I would like to know whether or not your department has done anything in a comprehensive systematic way to ascertain the history of the Indians and have that recorded and preserved so that the Indians could study it?—A. I would have to answer that by saying that is not part of our job. We do have in the United States an institution in Washington known as the Smithsonian Institute, which does have a staff that has done a large amount of work in the field of anthropology and in the general field of research and Indian history.

Q. Have they compiled text books which could be used in Indian schools?—A. No, sir, not text books. They have compiled volume after volume of reports. They are all available to us, but they are not in such shape that they could be used as text books in the schools.

Q. That would naturally be necessary if Indian history were to be taught?—A. We have a number of text books written by anthropologists who have used the sort of material that is available in the Smithsonian Institute and other places

Q. Does your department approve of any of those? Does it authorize any particular one, or does it leave the matter open?—A. You mean for use in the schools?

Q. Yes.—A. No, these are scientific publications recognized as such and any approved by us would be, I should think, at least superfluous.

Q. The reason I asked the question is that in our country any given province approves any particular history book which is to be used in the schools; this book receives the official sanction of the department of education.—A. We have something similar to that. We have a booklet which lists certain approved readers and certain approved books for supplementary reading—certain books of reference.

Q. In connection with the Indians?—A. Yes, in connection with the curriculum and the work being done in the schools.

Mr. REID: Is the curriculum similar all over the country?

The WITNESS: Yes, generally.

*By Mr. Case:*

Q. Even if they are teaching in the native tongue?—A. We have not done much teaching in the native tongue. I answered your question more as a hypothetical one. Last year we specifically carried on an experiment with some older children who had not previously attended school. We took these children from a Navajo reservation at the age of twelve and began instructing them in their own tongue and reading printed books in Navajo.

Q. Of course, you would have an objective; you would eventually teach them English?—A. That is correct.

Q. I can understand how it could be used as a primary instruction, but I think the Indians' ability to be absorbed will depend upon his ability to understand the language of the nation.—A. I am not arguing that that should be continued through the educational course; but I thought I was answering your question by saying I could see no objection to it.

*By Mr. Blackmore:*

Q. Has anything been done by your department in the way of assembling knowledge pertaining to the handicrafts and skills of the natives in aboriginal times so that there could be made available text books from which the Indians could learn those old skills?—A. Yes, considerable work has been done in that field both by us and by an affiliated board. It is an Indian arts and crafts board. It was established by a special act of congress for the purpose of promoting Indian arts and crafts, and both the board and the Indian service have done much in that field.

Q. Having in mind that your words are going into a record that will go all over the country, could you give the addresses of some institutions where people could write for these books?—A. You mean about craftwork?

The CHAIRMAN: There is the Canadian Handicraft Guild in Montreal.

Mr. BLACKMORE: I am thinking of American publications.

The CHAIRMAN: There is the Windsor Handicraft Guild.

The WITNESS: Some of them might be of interest. I should say the proper place to write would be the office of Indian Affairs either in Washington or Chicago.

Mr. BLACKMORE: That is fine.

*By the Chairman:*

Q. Would you follow along on that line? What have you done in connection with the development of Indian arts and handicraft?—A. You are getting me out of my field.

Q. That is not under the Indian Affairs Department?—A. Yes.

Mr. HOEY: What is your appropriation? What appropriation is placed at the disposal of that auxiliary board with which you are more or less familiar?

The WITNESS: Just a very small appropriation, about \$20,000 or \$25,000, and the board's function is purely advisory. If I might give you an idea of the kind of work we have been doing. We have done considerable experimental work with wool and with the breeding of sheep to produce better wool for specified purposes. For example, for making blankets we found that in the southwest the breeds of sheep have been crossed for various other purposes and we have been experimenting with different breeds of sheep and are in the process of getting a wool which is an all-purpose wool and yet is better for making blankets than some of the rough wool we have been using before. There has also been considerable experimental work in the use of dyes in an effort to increase the use of natural dyes, mineral and vegetable, in preference to chemical dyes. We have done some work on reviving old patterns, early patterns in blankets, and in weaving, rather than patterns that were designed in New York city or other places. We have done considerable work in encouraging young Indians to paint both in what might be called the Indian technique and in what is sometimes referred to as the occidental, or American technique, whatever term you want to use. There are a few Indians making their living by that art as painters.

Mr. HOEY: Have you done anything in pottery?

The WITNESS: We have done some work in pottery and have introduced pottery in a few places where it is not traditional. In the Sioux area in the Dakotas, we introduced pottery there because of the lack of other resources and some groups have taken hold of it.

Mr. BLACKMORE: That is a common sense approach to the subject.

The WITNESS: There is one other field in which considerable work has been done, and that is in the use of silver and precious or semi-precious stones. We have experimented with the various kinds of stones. The Indian traditionally used only one or two stones and it is hard to get some of those. The Indian silverware does not lend itself to the use of precious stones. We have done some experimental work with semi-precious stones.

*By the Chairman:*

Q. Do you encourage and assist in the manufacture of these Navajo rugs?—

A. Yes, in several ways. We were responsible directly for the creation of what is called the Navajo guild. That is run by the Navajos. They have an instructor and they also have a sales organization.

Q. An Indian sales organization?—A. Yes. And through the guild we have been stimulating the use of better patterns and better materials, attempting to persuade the individual weaver to use materials and designs which will make the merchandise saleable and resulting in getting better products.

*By Mr. Blackmore:*

Q. Turning to leathers,—if I might just give you this illustration to start you off to give us your observations,—when I was a small boy in the early '90's the Indians used to come to my father's home. We lived right alongside the reservation, and they would take a hide and tan it with great success. Whether it was a green hide or one which had been left lying around a long time, they seemed to know just exactly what to do. I wonder if such a thing as the tanning of leather, the making of various kinds of leathers that they used to use in the making of moccasins and various other things is encouraged? I wonder if those skills are being revived and made available to the younger generation of Indians?—A. We have one or two women taking that up, strangely



enough, who have devoted almost their full time to leatherwork. Some Indians do very fine leather work. There is one group I think in Idaho who have been making leather gloves; and many Indians, of course, make moccasins and other articles.

Q. Leather goods?—A. Leather goods.

The CHAIRMAN: Of course, a lot of Indians are doing that. On one of my recent visits to a reserve I think we were told that the Indians there were making gloves and moccasins having been taught by women; for instance, teachers who were brought in from the United States.

Mr. BLACKMORE: I would not like to suggest that I want to tire the witness out, but these things come naturally to Indians, and it would seem to me that we should give considerable attention and thought to them. I can think back, for instance, to when I was a child. The Indians were unusually skilful in medical or medicinal herbs. I wonder if anything is being done in a progressive way to bring back that old knowledge of herbs and curing which the Indians used to have. When I was a small boy my father and mother, having come from the Indian country in Idaho, just instinctively turned to the Indians for a remedy if anything went wrong.

Mr. REID: In answer to Mr. Blackmore's questions,—and I am thinking particularly of conditions on the British Columbia coast,—I know of Indians up in the north, and in the Queen Charlotte islands, who used to be real artists. Some of them still are real artists, in taking a certain kind of stone from the quarry and carving totem poles out of it. All of them were very beautiful. My observation now is that the art is dying out, and that some are making inquiries as to why. The answer used to be that it takes too much time to do the carving, and it requires too great a degree of concentration; they find also that they can make more money easier in other occupations. Would not that be part of the answer to Mr. Blackmore's question? Skills are dying out because civilization is growing and so it is getting easier for the younger Indians to make a living in other ways than by going back to learn the old skills.

The WITNESS: There is the problem. We haven't solved it, but we are trying to face it. It is not reasonable to expect an Indian woman to spend several months weaving a blanket when at the end of that period, if you compute her hourly wage, you find it is only five, ten or fifteen cents. On the other hand, it may be that she is weaving that blanket partly for the purpose of keeping herself busy and partly because she has nothing else to do.

Mr. BLACKMORE: It may be that she has nothing else to do; it may be that she really likes to do it.

The WITNESS: Yes, and it may be partly because in doing that she finds an opportunity for expression for herself in the development of the pattern. In the long run I believe the return from that kind of work must be adequate. You will find on the west coast, and certainly among the Indians of Alaska, that the return on the small totem poles is not worth while. More or less the same thing is true of all their bead work.

Mr. REID: And baskets?

The WITNESS: And some of the basket work. I do not know what the answer is. I do know there is a market which is not being filled by any means for choice handicraft products. Some years ago we had an offer from one of the large silverware dealers in New York who wanted us to provide, I cannot tell you how many dozen items of silver. I don't mind mentioning his name; it was Jenssen, in New York city, one of the best-known firms on Fifth avenue; but we just could not get enough to take care of that one market. As a result he lost interest. He and other people like him can sell high-priced silverware. I am confident there is still and will continue to be for a long time a luxury market for the best products.

*By Mr. Blackmore:*

Q. One of the main reasons why you were unable to get enough to supply the demand was that so few of the Indians had learned how to do this kind of work?—A. There were other factors. The general problem with us is a problem in production rather than a problem in sales. If we had the production of good merchandise it could be sold.

Q. Would the Indians have available to them the raw materials from which to make these things?—A. Generally, yes. They could use other materials which are not now being used commercially. For example, some tribes take a pride in having goats. A man's social standing may depend on the number of goats he has.

Mr. HOEY: I am glad to hear that.

The WITNESS: That opens up some other avenues for discussion, but the goat destroys more grass, and otherwise economically he is not as valuable as a sheep. On the other hand, the Indians and we—I might say everybody—have not realized that the goat skin has many uses on the market. You go down town and look in the best shops and you see handbags advertised as being made of goat skins and they sell for \$25 or \$30. Goats are a drug on the market in some parts of the Indian country.

Mr. HOEY: We have a small experimental goat station for the distribution of goats because as a rule they are not subject to T.B. We can keep them on small reserves which are not large enough to sustain cows, and provide a milk supply for the Indians. Before we forget I am interested in Mr. Blackmore's question as to whether or not any research has been undertaken to determine what medicinal value, if any, certain herbs have to which the Indians originally attached so much importance. Has any research work been done along that line?

The WITNESS: Not by us. We have no people who are qualified to do that sort of work. Some research has been done by private institutions. On the other hand, we recognize that many of the Indian remedies have great value, and we also recognize what may not be so generally approved that the Indian medicine man even today has great influence.

*By Mr. Lickers:*

Q. Those are his secrets, are they not?—A. Yes, but we have found that generally even in the more primitive groups the medicine man will cooperate with us. I recall going into an Indian hospital some years ago and talking to the head nurse. She pointed very proudly to a baby and she said, "That is the grandchild of the principal medicine man on this reservation." That is a long long step that the mother had taken with the old man's approval to have her child born in a hospital. When we dedicated a large hospital on the Navajo reservation we invited all the medicine men to come and take part in the ceremony. I think our medical men are convinced that if he is a good medicine man there are many things he can do that perhaps we do not know about.

*By Mr. Blackmore:*

Q. There is one more matter and then I will close. I do not know whether you discussed this in your brief which I unfortunately missed yesterday because of other work. Did you go into the matter of what you are doing in the way of building up muskrat preserves, beaver preserves, and various other fur producing preserves for the Indians?

The CHAIRMAN: We discussed that privately but not on the record.

The WITNESS: We have not been too successful with muskrats. Some years ago I heard about a large enterprise over on the Canadian side in Manitoba. I said to myself, "There is no reason why we cannot do something like that."

We have started a number of muskrat projects but they have not been entirely successful primarily because we did not have adequate land wholly under our control or under the control of the Indians.

*By Mr. Blackmore:*

Q. And with adequate water?—A. There was adequate water. One I had in mind particularly was up in northern Wisconsin. There we had a predominance of Indian land but there was also some privately owned land and some state land, and we just could not police the area. We had difficulty.

Q. Do you do anything in the way of restocking streams and waters with fish?—A. Yes, we do. The federal government maintains a number of hatcheries, and the federal fish and wild life service does cooperate with us. We have made some efforts with beaver in some locations.

Q. With success?—A. Yes.

MR. BLACKMORE: I should like to express my appreciation of the witness. I think he has made a splendid presentation.

*By Mr. Brunelle:*

Q. The discussion which we have just had on the skill of the Indians brings to my mind a suggestion which was made by somebody before this committee some time ago. This man suggested a 15 year plan. I think it was a most extraordinary plan. Extraordinary is not the word which I should use to express my disapproval of the plan whereby in 15 years he pretended he could assimilate completely the Indian race, make them completely disappear by marriage or otherwise. In that connection I wanted to ask the witness if such an idea had ever been expressed or such a plan had ever been tried in the United States. Of course, if it was tried it failed because they are still all there.—A. I am glad you mentioned that because I might have forgotten. We have some ten year plans.

*By the Chairman:*

Q. Not any 5 year plans?—A. They are not designed to do what your 15 year plan was supposed to do.

MR. BRUNELLE: I think it was 15 years. It was not a wise plan, anyway.

THE CHAIRMAN: Who was that?

MR. LICKERS: Dr. Jenness.

THE WITNESS: We felt we needed to do something to get together all the information that we had on the various reservations and make some sort of plan for their development. I happen to have here the 10 year plan for the Blackfeet reservation in Montana. There has been a good deal of talk about the Blackfeet. I ought to say so far as the facts in these plans or the programs are concerned I think they are correct. They do provide factual material for a program. These programs were all worked out locally, by the local staff, working with the Indians. They have not had any final approval and they are not intended to be in any way a binding program. They merely indicate a possibility. Now it is true in a few cases the local staff thought they saw a termination point, and a few of those programs were written with the thought in mind that at the end of a ten year period the federal government could be relieved of any further responsibility. There are some places, in my judgment, where we could withdraw in ten years and in some place perhaps even sooner.

MR. BRUNELLE: Would you call those plans that you are referring to assimilation plans?

THE WITNESS: No, I would not call them that.



Mr. BRUNELLE: They are just for development?

The WITNESS: Yes, for improvement and development.

The CHAIRMAN: Assimilation may mean one thing to one person and another thing to another person. I do not think it means disappearance.

Mr. BRUNELLE: I have one more question. Has the tendency or inclination in the United States been to preserve the Indian race or races with their history and traditions, or has it been otherwise?

The WITNESS: It has been both. Prior to 1929 or 1930, there was a very definite effort to suppress Indian tradition and Indian customs. It was not unusual to forbid Indians to hold their dances. It was customary to punish Indian children if they talked their own native tongue. That actually happened. The policy has been reversed. We do not attempt to suppress because we are convinced an attempt to suppress merely drives the Indian religion and the Indian customs underground. Now it is perhaps too much to say we are deliberately encouraging survivals, and I do not think that is what we are doing, but I think we are allowing acculturation, if I may use the word, to take its natural course.

The CHAIRMAN: Mr. Reid?

Mr. REID: I was going to ask Mr. Zimmerman a question which will help us when we come to make our official recommendations. We will have to make up our minds just what future policy should be adopted in this country and many of us are in grave doubt, perhaps not grave doubt but at least some doubt, as to whether the Indian should be confined and kept on his reserve. Another problem is shall we keep him in separate schools; keep him by himself and for the next hundred years or so call him an Indian? I am inclined to the view that these segregations cannot bring about a good influence for the country as a whole. I am inclined to the view that assimilation of the Indians in Canada would be a good thing if possible but it may be impossible. I do not mean it should take place immediately but I am just wondering if any thought has been given in the United States to the problem. Some thirty-eight different nationalities have come to Canada and the United States and have intermarried and fused and your country has become the great American nation, and, on this side of the boundary, the great Canadian nation. I am thinking more of the future and not particularly in my time. Are we going to perpetuate these minority groups? Are we going to keep them that way for all time? Are we going to keep them with themselves and have them carry on that way for the next 500 years? Are they still going to be called Indians? I am trying to get the information to help solve the matter in my own mind. I am very glad, Mr. Zimmerman, that you have come here, and I am asking you if any thought has been given to that question in the United States, and, if a policy has been evolved, what line does that policy take?

The WITNESS: I would say something on the record and then I would like to speak for a few minutes off the record.

Mr. MATTHEWS: When you speak of assimilation Mr. Reid you do not necessarily mean by way of marriage?

Mr. REID: I am taking it in the broadest sense. I cannot see how a person can be assimilated unless he becomes one of us. Over the years, say in two hundred years from now, perhaps the difference between the Indian and the White would never be noticed. I am not an anthropologist but when I speak of assimilation I speak of one race and one people which can only be achieved by marriage and inter-marriage. I would like you to speak on that Mr. Zimmerman.

**THE WITNESS:** Well, at the present time, I think the Congress of the United States has grave doubts. I do not know whether the congressional doubts are more serious than yours but they certainly are grave. Congress is concerned immediately with the problem. There is some indication that Congress believes that the policy we have been pursuing has not been vigorous enough; that it has not brought pressure to produce the result which I think you have in your mind. It does seem to me that you can produce adjustment, and, ultimately, if you wish, the assimilation of all peoples, without subjecting any of them at the present time or in the future, to pressures. There are ample pressures on us anyway. There is pressure on us to conform to modern society and, if I may be philosophical, it seems to be very strong. It seems very hard for any of us to be a non-conformist. Our children, for instance, wear the same kind of clothes. If your child and my child wear a pair of pants that are not just like all the other trousers on the block, our children feel socially ill at ease. The social pressures which we have at the moment seem to me to be tending to produce a standard pattern. I think in the long run the Indians are sensitive to those same pressures. It is certainly true of the men who have been in the army. They have all come back feeling the differences they have seen between themselves and the other boys. Generally, they are not ashamed of those differences, except that it may disclose ignorance or the inability to speak English and things of that kind, but the boys who have come back from the army without exception feel that their younger brothers and sisters should learn to speak and write English. They feel that they should have the advantage of association with white children. I think that is the general reaction of the boys who have seen military service. The matter of inter-marriage surely makes a big difference. On the other hand, there are many white people who have married into Indian tribes and live as Indians. There are Indians in the United States, or so-called Indians, who have not a drop of Indian blood and who were adopted into the tribe years ago. On the matter of reserves I sometimes feel that the attitude of the Indian is more wholesome than the attitude of the white man. We hear, as apparently do you, some complaints that the Indian should not be restrained and that he should not be held on the reserve, that the reserve should be abolished and the Indian should go his way. After all, the reservation is his home. The Indian is free to come with us but if he wants to stay at home and maintain his family ties, his home ties, I do not see why he should not be allowed to do so. The fact is that even in the larger reservations where relatively few white people live, the association with the whites around the area is increasing all the time.

**MR. REID:** Would you agree with the statement I have made, that the handling of Indians in the United States has been the same as in this country? I am one of those who think that eighty years or so ago the government, not knowing what to do, said, "We will put all the Indians on the reservations and keep them there"; and over the years we have kept them there and worked along those lines. Now, as a member of this committee, I am wondering if we should still continue that way. In those days the authorities decided that they would put the Indians on the reservations and they have kept them there ever since, and I am wondering how long this is going to go on—two hundred years or five hundred years; how long?

**MR. BRUNELLE:** Is it not a fact, Mr. Reid, that instead of taking the Indians and putting them in the reserves we just left them where they were?

**THE CHAIRMAN:** Now, gentlemen, we are not getting far with the witness; we are getting into a discussion among ourselves, and Mr. Zimmerman has to leave shortly.

**MR. BLACKMORE:** Mr. Zimmerman was going to make a few statements off the record.



The WITNESS: It does not make much difference. Most of what I have said has gone on the record.

Mr. HOEY: There is one question I would like to ask. We have had proposals from time to time, and we have one before us now, from certain university groups of specialists, and they are securing support from insurance companies and other such organizations to undertake a complete survey of certain areas populated by Indians. We have undertaken, as you have undertaken, certain educational surveys before we established a school, and in northern Manitoba, at least, we have undertaken a couple of health surveys. These specialists propose to undertake a thorough survey—anthropological, sociological, economic, nutritional, health, educational—touching the whole orbit of Indian life. The survey before us now will be financed fifty-fifty by the Underwriters' Association and by the government, and we are likely to have a few more such proposals. I have been told that such surveys held in the East and in the Far East and in the South Sea Islands have brought about beneficial results. What I would like to know is if any such surveys have been undertaken on your reservations by independent bodies or by your department, or in co-operation?

The WITNESS: We have had a number of surveys along the same line. They were carried on in cooperation with another governmental agency. The attempt was made to collect substantially all the information in the fields you have mentioned. That program was financed out of emergency funds during the depression years. The material is still available and there are voluminous reports, but it has not been possible to make full use of all the material. These surveys were made only on a small number of reservations.

Mr. HOEY: Are those reports likely to prove helpful, or do you know enough about them?

The WITNESS: Yes, they were helpful, but there is much material in them that is not immediately useful. There is much historical information and anthropological information which is of relatively small value at any one moment. I grant that some of the background is needed in dealing with an Indian tribe. The more you know of the psychological condition of the Indian the better you will probably get along with us.

The CHAIRMAN: Gentlemen, apparently Mr. Lickers has no questions to ask, and I think we have about exhausted all subjects in connection with Indian affairs as far as Mr. Zimmerman is concerned.

The WITNESS: You have pumped me pretty hard, but the well is not yet dry.

Mr. REID: Before the witness finishes I want to express my own personal gratification for hearing Mr. Zimmerman, and I think I voice the sentiments of the entire committee.

The CHAIRMAN: Mr. Zimmerman, on behalf of this committee I want to express to you our thanks for the very informative discussion we have had here and for the excellent answers you have made to our questions. I should like to express the hope that there will be a frequent interchange of departmental officials between your department and our own department, because we have the same objective, and I think the result would be most helpful, not only us, but I think that we might contribute something to you from time to time.

The WITNESS: I am sure you could.

The CHAIRMAN: Therefore, on behalf of this committee I wish to express to you our sincere appreciation for your attendance here. I know that from my private conversations with members of this committee I have learned that they have been helped by your comments and the evidence which you have given.



The WITNESS: Thank you, Mr. Chairman and gentlemen. I would like to make this final observation. Perhaps it is not necessary, but I wish to make it. While some of my answers may have seemed positive or perhaps on one side of the question, I think our position, as I see it, is that we do not know all the answers. I do not want the impression to remain with you gentlemen that we are doctrinaire and that we know all the answers, because we do not. We have many problems. While I have tried to answer your questions as I have seen the facts I do not want you to feel that just because we did certain things we, therefore, approve of all we are doing. We do some things under compulsion and some things we would like to change; and we are quite aware of the fact that we can do better.

The committee adjourned to meet on Thursday, May 22, at 11 o'clock a.m.







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(SESSION 1947)



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 25

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THURSDAY, MAY 22, 1947

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### WITNESSES:

Mr. Reginald Hill, representing Six Nations Council, Brantford, Ontario.  
Mr. Joseph C. Hill, representing Six Nations Council, Brantford, Ontario.  
Chief Sam Lickers, representing Hereditary Chiefs, Six Nations, Brantford, Ontario.  
Mr. Asa Hill, Indian Defense League of America, Niagara Falls, N.Y.  
Mr. William Smith, Six Nations "Iroquois" Confederacy, Ohsweken, Ont.  
Mr. Thomas Roy, President, Grand Council, Treaty No. 3 (Northwest Angle), Sioux Narrows, Ontario.  
Chief William Meawasige, representing Manitoulin Island Indians.  
Mr. Henry Jackson, Union of Ontario Indians, Midland, Ontario.  
Chief C. L. Big Canoe, Georgina Island Reserve, Ontario.  
Mr. Telford Adams, representing Indians of Southwestern Ontario.

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## MINUTES OF PROCEEDINGS

THURSDAY, 22nd May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

*Presiding:* Mr. D. F. Brown, M.P., (Joint Chairman).

*Present:*

*The Senate:* In recess.

*The House of Commons:* Messrs. Brown, Bryce, Blackmore, Case, Castleden, Charlton, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, Matthews (*Brandon*), (Vice Chairman), Reid, Richard (*Gloucester*)—15.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; W. S. Arniel, Inspector for Ontario; Lt-Col. E. P. Randle, Superintendent, Six Nations Reserve, Brantford, Ontario; B. F. Neary, MBE., Superintendent, Welfare and Training; H. M. Jones, Supervisor, Family Allowances; G. Patrick, V.L.A.; B. Russell; also, Rev. Father Brachet, OMI., Fort Alexander, Manitoba; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

There were many Indians present from various Reserves in Ontario, including: J. Clinch; Allan Martin; Gordon Martin; (Six Nations); Laurence Peltier, Manitoulin Island; J. B. Tootoosis, President, Union of Saskatchewan Indians; J. A. Burnham, Indian Defense League; Chief Walter Sands, Walpole Island; E. D. Tabobondung, Parry Sound; Lewis Jackson, Christian Island; John Twain, Bear Island; Alec. Paul, Temagami; D. McKenzie, Temagami; P. McDougall, Temagami; Fred Pine, Mark Pine, William Shingwauk, Dan Shingwauk, all from Garden River; Chief J. A. Martin, Ohsweken; John Henhawk, Ohsweken; Herbert Jamieson, Ohsweken; James H. Martin, Ohsweken; Enos Maracle, Chief Councillor, Six Nations.

Mr. Charlton, introduced the members of the delegation representing the Six Nations Indians from Brant County.

Mr. Enos Maracle, Chief Councillor, Six Nations Reserve, expressed the appreciation of his Council for the hearing to be accorded the delegation.

Mr. Reginald Hill, teacher, Indian School, Six Nations Reserve, Brantford, Ontario, official delegate of Six Nations, was called, heard and questioned. He presented a brief the text of which appears in the Minutes of Evidence.

Mr. Joseph Hill, Supervising Principal, Six Nations Reserve, was called, made a statement and withdrew.

Chief Sam Lickers, representing the Hereditary Chiefs of the Six Nations was called, read in the record a brief, and withdrew.

Mr. Asa Hill, was called, placed on record the constitution of the Indian Defense League of America, also the brief of that League.

The Committee adjourned at 1.07 p.m., to meet again at 4.00 p.m., this day.



## AFTERNOON SESSION

The Committee resumed at 4.00 o'clock p.m. Mr. D. F. Brown, M.P., Joint Chairman, presided.

*Present:*

*The House of Commons:* Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Charlton, Farquhar, Little, Matthews (*Brandon*), and Raymond (*Wright*).

*In attendance:* Mr. R. A. Hoey, Director of Indian Affairs, Ottawa. Also, Mr. N. E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Chief William Meawasige, Spanish, Ontario, representing Manitoulin Island and North Shore Indians, called. He read a brief. Mr. Lawrence Peltier, Wikwemikong, Ontario, was in attendance during the presentation. The witness also presented the following briefs to be printed in the records of the Committee:—

- (a) Brief (undated) of the Veterans' Association of Wikwemikong, Ontario;
- (b) Brief dated 12 May, 1947, of the Whitefish River Reserve, Ontario;
- (c) Brief (undated) of the Serpent River Band, Ontario;
- (d) Brief (undated) of the Spanish River Band, Ontario;
- (e) Brief (undated) of the Wahnapiatae Band, Ontario;
- (f) Brief, dated 18 May, 1947, of the Sheshegwaning Band, Ontario;
- (g) Brief (undated) of the Sucker Creek Reserve Band, Ontario;
- (h) Two letters, dated 12 and 16 May, 1947, signed by Mrs. Dorothy McLeod, Sucker Creek, Ontario, addressed to Canon Haines, Little Current, Ontario;
- (i) Brief, dated 11 May, 1947, of the West Bay Indian Band of the Manitowaning Agency, Ontario;
- (j) Three statements (undated) in support of representations in briefs from Wikwemikong.
- (k) Brief, dated 16 July, 1946, of the Mississauga Indian Reserve. (Printed as appendix 'AQ' on page 866 of Minutes of Proceedings and Evidence, No. 21, 1946.)

(For text of items (a) to (j) see appendices (EZ) to (FI) attached.)

Mr. Henry Jackson, Christian Island, Ontario, representing the Union of Ontario Indians, called. He read a brief. In attendance during the presentation: Chief John Twain, Temagami, Ontario; Mr. Alex Paul, Temagami, Ontario; and Mr. Lewis Jackson, Christian Island, Ontario. (Appendix FJ).

Chief Tom Roy, Sioux Narrows, Ontario, representing the Northwest Angle Indians, called. He read a brief and retired.

Chief C. L. Big Canoe, Georgina Island, Ontario, representing the Georgina Island Indian Reserve, called. He read a brief and stood aside.

The Committee adjourned at 6.00 o'clock p.m. to meet again this day at 8.30 p.m.

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 EVENING SESSION

The Committee resumed at 8.30 o'clock p.m. The Joint Chairman, Mr. D. F. Brown, M.P., presided.

*Present:*

*The House of Commons:* Messrs. Brown, Bryce, Blackmore, Case, Charlton, Farquhar, Harkness, Little, MacNicol, and Reid.

*In attendance:* Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Ottawa. Also Mr. N. E. Lickers, Barrister.

Mr. Telford Adams, Sarnia, Ontario, representing Southwestern Ontario Indians called. He read a brief and retired.

Mr. Lickers filed a brief dated 3rd May, 1947, on behalf of the Grand General Indian Council of Ontario, signed by Mr. H. B. Williams, President and Mr. Wallace Soney, Secretary. (For text see appendix FJ.)

Mr. William Smith, Hagersville, Ontario, Assistant Secretary, Six Nations "Iroquois" Confederacy, called. He made a statement and retired.

Chief William Pine, Garden River Indian Reserve, Ontario, was not in attendance when called.

Delegates of the Elected Council of the Six Nations Reserve called and questioned. The following were in attendance: Mr. Joseph C. Hill, Ohsweken, Ontario; Mr. Reginald Hill, Ohsweken, Ontario; Mr. Enos Maracle, Ohsweken, Ontario; Mr. James Martin, Ohsweken, Ontario; Mr. Herbert Jamieson, Ohsweken, Ontario; and Mr. Hilton Hill, Middleport, Ontario.

The Committee adjourned at 10.05 p.m. to meet again Friday, 23rd May, 1947, at 11.00 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

May 22, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: This morning we are to hear from the delegates representing the Indian population in the various parts of Ontario. There is a large number of delegates in attendance. There are six official delegates and we have, in addition thereto, a large number of delegates who have come either to present briefs or to be in attendance as spectators. On behalf of this committee, I wish to extend to all a most cordial welcome and assure them we will do our utmost to give as full and complete a hearing as is possible so that they may be given an opportunity of presenting what they consider to be the material they would like to have brought before this committee and put on the record, leading, of course, to the revision of the Indian Act.

The subcommittee did meet last night but there is no formal report at the moment. We have an agenda set out, and in addition to the witnesses who will be called, an opportunity will be given later to those who are not on this list and of whom we have not presently knowledge, but who may want to be heard briefly at the completion of this list, if that is your pleasure. This will raise, of course, the question of how many sessions we are to have to-day.

I might inform the visitors that the procedure of the committee, if we proceeded strictly according to plan, would be to have one hearing to-day and one hearing to-morrow. The hearing to-day would terminate at one o'clock and the hearing to-morrow would be from eleven until one o'clock.

However, we have adopted the practice of permitting the delegations to make further presentations, and we have extended the time by having additional sessions during the day. Is it your pleasure, gentlemen, that we should meet again to-day? I see there are quite a number here in attendance and I think they have come from considerable distances and therefore we would like to hear them as fully as possible:

Mr. REID: My own view, Mr. Chairman, is this; even though we are working under pressure and there may be an important vote in the House to-day, I think in fairness to the Indians from Ontario, or from any other province for that matter, in view of the fact that we have given additional hearings to other delegates, I would certainly be in favour of giving as much time as we reasonably can to these delegates from Ontario. That is my own view.

The CHAIRMAN: Well, then, suppose we see how we get along up until one o'clock.

Mr. CASTLEDEN: That's a good idea, let's get going.

The CHAIRMAN: Then we may be able to meet at four o'clock, subject, of course, to other events which may develop during the day.

And now, gentlemen, I will read to you the list of delegates which I have before me, then there may be others who want to say something after those on this list have appeared.

Mr. Reginald Hill

Mr. Joseph Hill

Chief Sam Lickers

Mr. William Smith

Chief Tom Roy

Chief William Meawasige

Mr. Henry Jackson

Mr. Telford Adams

Chief C. L. Big Canoe

Chief William Pine

Will Mr. Reginald Hill please come forward?

Mr. CHARLTON: Mr. Chairman, members of the Senate and the House of Commons, I would like to have the opportunity of introducing the delegation to the committee. Starting to your left you have Chief Councillor Enos Maracle; then Mr. Reginald Hill and Mr. Joseph Hill, both of them school teachers; Mr. Hilton Hill, Mr. James Martin and Mr. Jamieson.

The CHAIRMAN: Thank you very much, Mr. Charlton.

Mr. Reginald Hill, take the table at the centre, if you will please. The reason for that is so that all the members may be able to hear you and so that the reporters may be able to get the statements which you make on the record.

Mr. CHARLTON: Mr. Chairman, I believe that Mr. Maracle, the Chief Councillor, would like to say a few words before the presentation starts.

The CHAIRMAN: If we could wait until this list has been exhausted; otherwise, I am afraid we may run short of time. We will try to make every opportunity for Mr. Maracle to be heard after we get through with this list.

Mr. CHARLTON: It is just a matter of introducing these people, Mr. Chairman.

The CHAIRMAN: Do you want to introduce the speakers, Mr. Maracle?

Mr. ENOS MARACLE (Chief Councillor, Six Nations Indians, Brantford): Mr. Chairman and gentlemen, first I should like, as chief councillor of the Six Nations Indians, to express on behalf of the council and of my people our appreciation to this committee for hearing this delegation, and we hope that your committee, through their labours, will bring success and prosperity to us all; and above all contentment to the Indian people as a whole. May I introduce our chief speaker, Mr. Reginald Hill?

### **Reginald Hill, Six Nations Indians, called:**

*By the Chairman:*

Q. Mr. Hill, it may be that the members of the committee would like to ask you a few preliminary questions. First of all you are a member of the Six Nations reserve?—A. That is correct, sir.

Q. And you are a member of that band?—A. Yes.

Q. What is your position?—A. At the present time I am a teacher at the Indian school on the Six Nations reserve.

Q. And you are representing the council of the Six Nations reserve?—A. I first worked with the committee—

Q. What committee?—A. The committee appointed by the elected council on the Six Nations reserve. I was specifically appointed to come down here as a delegate.

Q. And you were appointed by the Six Nations council?—A. That is correct.

The CHAIRMAN: Are there any other questions which members wish to ask of this witness?

*By Mr. MacNicol:*

Q. To which particular tribe do you belong?—A. The Seneca tribe.

*By Mr. Castleden:*

Q. I understand you represent the elective council?—A. Correct.

Q. Is there another organization known as the Confederacy?—A. I believe it does exist. I believe they have delegates here.

Q. How many Indians have you on the Six Nations area whom you represent?—A. There are a total of about 5,500 on the list.

Q. That is of the Six Nations altogether?—A. Yes. Of which you could possibly say 50 per cent would be women. That would leave, of course, a balance of 2,750 males. From that list you could subtract about 400 as the total number of boys. Though that group belong to the school age there have been about 800 in attendance at our day schools. That would leave us about 2,350. If you take another 250 to represent the boys of the pre-school age group you would have left 2,100. In addition to that you could safely subtract an additional 200 to allow for the boys between the ages of 16 and 21 who are not voters. That leaves approximately 1,900 eligible voters. I think you will agree with me that at no election does the entire body of eligible voters express an opinion. In Brantford recently we found that only 45 per cent turned out to the election. Consequently, I think we could safely assume that only about one-half of the 1,900 would register their vote. That would mean approximately 950 active voters. Of that group in the 1946 elections for the present elected council there were 571 votes cast, and that was with two districts not participating. There were acclamations in two groups. Consequently, we got 571 votes cast in the remaining four districts. I think, sir, that will give you a picture of the group and the elective council.

Q. Yes. Had the Indians the privilege of one vote or two?—A. They voted for two councillors.

Q. And the total number of votes cast for the two councillors was?—A. 571.

Q. I do not know whether you represent the 5,000 Indians in the Six Nations reserve.

The CHAIRMAN: There are other representatives here.

Mr. CASTLEDEN: There are representatives here from the Confederate group?

The CHAIRMAN: Yes.

*By Mr. Castleden:*

Q. How were your delegates selected?—A. They were appointed by the council in session.

Q. The councillors met— —A. The councillors met and selected the spokesmen.

Q. How many councillors are there?—A. Joseph Hill and I were selected.

Q. How many councillors were there when the selection was going on?—A. I have no way of saying, sir, as it was done in committee, but I presume the entire council was represented.

Q. How many councillors would there be?—A. There are normally twelve, but I think there are only eleven active this year.

Q. It would be at a meeting of those eleven councillors?—A. Yes.

*By Mr. MacNicol:*

Q. Are all your tribes represented: the Mohawks, Onondagas, Oneidas, Cayugas, Senecas and the Tuscaroras; are they represented here?—A. In the elective council it is a geographical selection with no consideration of the different tribes. Under the hereditary system I think you will find that the representation was by tribe.



Mr. MACNICOL: Do some of the representatives represent the Muncies and the Delewares?

The WITNESS: They belong to a different reservation.

The CHAIRMAN: I think, gentlemen, we should get along with the brief.

Mr. REID: Mr. Chairman, I am not raising a point of order, yet it is a point of order. When this man made his presentation we had him give a breakdown which no other Indian delegate was asked for at the start and we have been given the actual number of voters.

Now, this later may be held against the band. It is something new in this committee. We have had delegation after delegation and they have told us the number of the band and the number in the association, but we have never asked them for a breakdown of the actual number of voters. Now, he told us at the start that they represent 5,500. This man has been good enough to tell us right down to the last detail how many votes were cast, which is something remarkable; but I do not want that held against this man and I do not think it should be done, not at this stage. If we were going to do that in one case we should have interrogated every witness and said, "Let us have the entire number of Indians and the number of voters." We have not done that before.

Mr. CASTLEDEN: Oh, yes, we have.

Mr. REID: Will you show me where we did that? I do not like the situation to be raised at this stage of the proceedings.

The CHAIRMAN: I do not think it means very much because this witness, whether he is a member of the band or whether he is not, was appointed by the council of his reserve.

Mr. REID: That should be sufficient for this committee.

The CHAIRMAN: That is right.

Mr. MACNICOL: Let us get on with the submission.

Mr. REID: I am not apologizing for bringing this matter up and having it put on the record.

Mr. CASTLEDEN: What we are interested in is to get a proper representation from all the Indians, and I think this witness should give us information as to whom he represents and that opportunity will be given to other delegates.

Mr. REID: It should have been done before, if we are going to do it now.

The CHAIRMAN: This gentleman has been appointed by the council of the Six Nations reserve and I do not care who he is or what he is. He has been appointed to come here, and that is sufficient for our purpose.

Mr. REID: Yes. It is all on the record now, and I am content.

The WITNESS: Mr. Chairman and gentlemen, as a non-member of the council, as an individual, I would like to express my appreciation for the privilege of appearing before this body and state that I believe it is the general feeling of the average individual on the reserve—a feeling of gratitude that we should at long last have been consulted at a time when the laws which govern us are about to be revised. With your permission I will proceed with the brief, copies of which you all have.

The Council of the Six Nations Indians of the Grand River, on behalf of their people, make the following recommendations for the consideration of the Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act.

#### 1. THE STATUS OF THE SIX NATIONS

(a) Your committee is requested to clarify the status of the Six Nations for the following reasons.

(b) The position of the Six Nations is unique in that, in the wording of the Haldimand Deed they were clearly named as "allies" of the British, rather than subjects. A portion of the Haldimand Deed reads as follows:—

Whereas His Majesty having been pleased to direct that in consideration of the early attachment to His cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under His protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the Territory of the American States or wish to retire from them to the British. I have at the earnest desire of many of these His Majesty's faithful allies purchased a tract of land from the Indians situated between the Lakes Ontario, Erie and Huron, and I do hereby in His Majesty's name authorize and permit the said Mohawk Nation and such others of the Six Nations Indians as wish to settle in that quarter to take possession and settle upon the banks of the river commonly called Ouse or Grand River, running into Lake Erie, allotting to them for that purpose six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy for ever.

Dated 25th October, 1784.

(c) It is of the utmost importance that this point be cleared up by the Committee, as by being named as allies, would grant the said Six Nations certain rights and privileges which may not be granted to subjects, some of which may be outlined as follows:—

- (1) Full control of the lands allotted to them.
- (2) The exemption from taxation, for all time, on said lands because of the unique manner in which these lands were inherited.
- (3) While we approve of our funds being held in trust by the government, it is considered that the council should have full powers over any single expenditure or grant not exceeding \$1,000.00—but that the superintendent-general should have no power to expend our funds without consent from the council.
- (4) It is considered that to allow the said lands and revenue therefrom to remain tax free would be a reasonable manner in which to compensate the said Six Nations for the sacrifice of flesh and blood and territory, and be some reward for their unflinching loyalty to the British cause at all times, a loyalty which has continued up and to the end of the second great world war.
- (5) The Six Nations seek a degree of self government based, as already stated, on the unique manner in which they inherited the said lands, and wish only to substantiate such self government in so far as it may be reasonable and just to the people of the Six Nations and to the dominion government, who, by the British North America Act, have been entrusted by the Imperial government to look after the interests of the Six Nations people.
- (6) The affairs of the Six Nations of the present generation are far removed from the time that they first settled on the said lands and have become completely interwoven with the affairs of the dominion in general. The Six Nations now obtain a living in the same manner as the average white citizen, meet the same obligations and are subject to all forms of taxation except that of direct land taxation and a few other minor taxes which may not apply to an Indian reservation because of the wording of the present Indian Act. Because of all this, and certain

other factors, it is realized that absolute self government would be an unsound request, and impractical both to the Six Nations and to the dominion government.

## 2. LANDS

Due to the manner in which the Six Nations inherited their property (see Status of Six Nations) the decisions of the council in all land transactions, and transfers between members of the Six Nations, shall be final and conclusive, subject only to an appeal to the Justice Department.

However, there shall be no surrender of any Six Nations lands unless two-thirds ( $\frac{2}{3}$ ) of the total number of votes cast, favours such surrender. (See Sec. 51-1. Indian Act).

## 3. AGRICULTURE

Since many Indians of Canada are occupying land suitable for agricultural purposes, it is recommended that the revised Indian Act should make provision for the establishment of a "Division of Agriculture", provided with sufficient funds to considerably increase the development and progress of agriculture on the said reserves and cooperate with the provincial departments of agriculture in which such Indians may reside so that they may share equally with other residents of such provinces in the agricultural educational programs conducted from time to time.

## 4. EDUCATION

The joint committee is urged to consider the following recommendations covering the educational needs on the Six Nations reserve:—

- (a) Teachers be placed on civil service with provisions for retirement.
- (b) A salary scale be set up with provision for a minimum and a maximum salary.
- (c) That present school grants to pupils be continued, but that all students so desiring, be allowed to attend high, continuation or collegiate institutes, and that bus transportation be supplied and tuition fees be paid.
- (d) That required standings be reduced.
- (e) A school nurse be supplied, who will check all reported illnesses. The doctor to supervise vaccinations at regular intervals, and that milk be supplied to the pupils at school.
- (f) Sanitation supplies to be provided and water to be tested regularly.
- (g) Adequate supplies of books to be provided.
- (h) Dental services to be provided.
- (i) The council suggests that Indian residential schools be made undenominational and placed under control of the department rather than under church control as in some cases at present.

## 5. SOCIAL SERVICES

It is felt that a social service division should be established, with trained personnel, to supervise and improve living and health conditions on the reservation. It is felt that such a division would do much to alleviate cases of suffering on the reserve. This division could make provision for old age pensions, widows' allowances and other benefits now available to those outside of reservations.

## 6. POSITIONS IN INDIAN ADMINISTRATION AND EDUCATION

In the matter of appointments to positions in Indian administration and education, Indians where qualified, should be given a preference, with Indian veterans receiving first preference, then any Indian, and if no Indian can be found qualified to fill the position, then the regular provision of the Civil Service Commission should apply.



## 7. APPOINTMENT AND POWERS OF INDIAN AGENTS

The Six Nations Council endorses and supports the recommendations made by the Okanagan Society for the Revival of Indian Arts and Crafts as outlined in the special joint committee's report No. 14, dated Thursday, July 18, 1946, page 615, regarding the appointment, training, and definition of the powers of the Indian Agents.

## 8. THE RIGHT TO VOTE

We recommend that the revised Act should provide citizenship without loss of lands or rights as at present. Such was given without question in the United States. At the present there is the anomaly of the government conscripting for military service, demanding income tax, collecting certain other taxes, and yet saying that Indians cannot be citizens, cannot have old age pensions, and other matters of social security and benefits. The vote should be given to all Indians on the same basis as at present provided for Indian veterans.

## 9. VOTES FOR WOMEN

The women of the Six Nations are fully qualified to vote intelligently, and it is the wish of this council that some provision be made at this time to give them this right. In this connection we unanimously support the recommendations made on page 632, section 4, of Report Number 14, 1946, to which we have previously made reference.

## 10. RE-INSTATEMENT OF ENFRANCHISED MINORS

It is our opinion that some provision should be made so that any Indian, who was enfranchised by his or her parents, as a minor, and who is now prepared to reside on the Six Nations reserve, and providing that he or she is prepared to repay their share of Six Nations funds, should be allowed to return, and after a probationary period of two years, may be accepted and restored to membership by the Six Nations council.

## 11. INDIAN ACT

Section 2 (i) should be deleted and where "person" is mentioned in the Act, it should be made to read "anyone other than an Indian". Although this definition is only in the interpretation section and is used only as a definition in the Act itself, it has been misunderstood in so far as the Indians are concerned, and they have taken it to mean that they are not a "person" and have been placed in the same category as minors and lunatics.

Section 3 should be amended so that it would read "The Governor-in-Council, upon the application of the Indians, or non-treaty Indians, or any of them, or any band or irregular band of them, or the reserves or special reserves, or any portion of them, in any province or in the territories, or in any of them, may be proclamation exempt such from the operation of this part".

Section 13 should be amended by deleting the words "with the approval of the Superintendent General" and substituting therefor "Band or Council of the Band".

Section 14 should be amended by adding thereto "and any property held by such Indian woman shall be sold by her within one year from her marriage and if not sold, to be purchased by the Band or Council of the Band to which she belongs at a price to be determined in such a manner as the Band or Council of the Band may direct based on reasonable prevailing values".

Section 17, subsection 2, should be amended so as to read "The Superintendent General may, with the consent of the Band or Council of the Band, cause to be deducted from the capital of the Band of which such Indian was formerly a member . . ."

Section 18 should all be deleted and these new subsections substituted therefor.

*Subsection 1*—The band or council of the band may from time to time determine who is or who is not a member of such band entitled to share in the property and annuities of the band.

*Subsection 2*—The decision of the band or council of the band shall be final and conclusive, subject to an appeal to the superintendent general.

Section 25 should be amended by deleting therein "Superintendent General" and substituting therefor, "Band or Council of the Band".

Section 26 should be amended by adding after "... shall descend" in the fourth line, "according to the laws of descent on any intestacy in the province in which such property is situated" and deleting the balance of the section.

Section 26, subsection 2, should be amended by deleting "Superintendent General" and substituting therefor "Band or Council of the Band".

Sections 27 and 28 should be amended by deleting "Superintendent General" and substituting therefor, "The Band or Council of the Band".

Section 29 should be deleted in view of amendment to Section 26.

Section 31 should be amended by adding after "... obtained a location ticket", "or deed therefor upon the approval of the Band or Council of the Band".

Section 32 should be amended by deleting "Superintendent General" and substituting therefor, "Band or Council of the Band", and adding to the subsection "subject to an appeal to the Superintendent General".

Section 32, subsection 2, should be amended by deleting "Superintendent General" and substituting therefor "Band or Council of the Band".

Section 33 should be amended by adding after "... Superintendent General" in the third line, "upon the recommendation of the Band or Council of the Band" and deleting "Superintendent General" in the ninth line and substituting therefor "Band or Council of the Band".

Sections 34, 35, 36 and 38 should be amended by substituting "Band or Council of the Band" for "Superintendent General" throughout.

Section 39 should be amended by adding subsection 4 as follows: "The Band or Council of the Band may institute any action for and on behalf of the Band for any claim or demand whatsoever, in any court having jurisdiction, when His Majesty on behalf of the Band or Council of the Band neglects or refuses to institute such action".

Section 39, subsection 4, shall become subsection 5.

Section 43 should be amended by deleting "Governor-in-Council" and substituting therefor, "Band or Council of the Band".

Section 48 should be amended limiting expropriation only for public works, and subsection 3 should be amended giving the band or council of the band the right to choose their own arbitrator.

Section 51, subsection 2, should be deleted.

Section 52, and all subsections, should be deleted. We cannot urge too strongly that this section and subsections of the Indian Act relative to the removal of Indian reservations from urban centres be obliterated, as it is wholly contrary to British democratic principles and opposed to those ideals for which our young men fought and died.

Section 93, subsections 2, 3 and 4:—In the matter of expenditures from the capital or interest accounts of the Six Nations, it is our opinion that no expenditures of any sort should be made without the knowledge and consent of the council, and that, in view of this opinion, that Section 93, subsection 2, of the present Indian Act should be repealed as regards the powers granted the superintendent general in this connection,—and in subsections 3 and 4 "Band or Council of the Band" should be substituted for "Superintendent General". Further we are of the opinion that in order that our people may



have confidence and trust in the department, that the annual statement of all expenditures and receipts, and the general statement of our trust accounts, should be published for distribution annually to our people.

Section 94(a) should be amended by adding after the words "... may operate farms on Indian Reserves" in the second line,—“with the consent of the Band or Council of the Band”.

Section 95 should be deleted and the superintendent general should only be given supervisory powers unless otherwise stipulated.

Sections 110 to 114 should be deleted.

Sections 126 to 137 should be deleted and the Indians should be governed by the liquor laws and regulations in each province and they should have the same rights and privileges of buying and consuming as the ordinary resident of the province in which each band is situated.

Section 140(a), and section 140(a) subsection 2, should be deleted.

Sections 141 and 142 should be deleted.

Section 163(a) should be amended by deleting the word “male”.

Section 176 should be amended, and provision made whereby the people of the Six Nations may elect the chief councillor.

Section 178 should be amended to read “At such meeting of the Council the Chief Councillor or his deputy appointed for the purpose, shall

(a) preside, and record the proceedings;

(b) control and regulate all matters of procedure and form and adjourn the meeting to a time named or sine die;

2. The agent for the reserve will be present and shall

(a) report and certify all by-laws and other acts and proceedings of the Council to the Superintendent General.

(b) address the Council and explain and advise the members thereof upon their powers and duties.

Section 185 should be amended by giving the band or council of the band the same authority and jurisdiction over their own affairs as any municipal authority has in the province in which the band is situated.

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Finally—apart from the preceding brief which deals almost entirely with matters affecting the revision of the Indian Act,—we would draw your attention to certain remarks of various witnesses who have appeared before you, whose statements we have read with considerable interest and with astonished amazement.

To refer to one in particular—your witness was speaking of the Reserve at Brantford,—our own Six Nations,—quote “I think we must look forward to their gradual assimilation”.

We very much resent those remarks, as we are proud of being Six Nations Indians. We are thankful we have sons and daughters, and we hope that they—like ourselves—will grow up with pride in the fact that they are, first—Six Nations Indians, and secondly—good Canadians.

The late Sir John Willison, speaking to a young Indian boy attending Upper Canada College, gave this advice; “My son, remember always that it takes a poor Canadian to make a good American. A man should have pride in his race and the land of his birth.” We as a people are very conscious of his meaning in the light of what is happening to-day.

We as a people bitterly resent these suggestions of assimilation or absorption, and cannot accept such as inevitable.

We remember well the words which appear on Chief Red-Jacket's monument in Buffalo:—“When I am gone and my voice is no longer heard, the avarice and guile of the white man will prevail. My heart fails me when I think of my people, so soon to be scattered and forgotten.”



What possible justification can there be for it to be so frequently urged that Indian reserves must be broken up before the Indian can attain his rightful place in equal partnership with his fellow Canadians.

The CHAIRMAN: Thank you. The next witness will be Mr. Joseph Hill.

**Joseph Hill, called.**

Mr. MACNICOL: Are there copies of the next submission?

The CHAIRMAN: I do not know.

*By the Chairman:*

Q. Have you any prepared submission?—A. Pardon?

Q. Have you any prepared submission?—A. Only on education. I have nothing on the first part.

Q. Have you copies of it?—A. No, I have not.

Q. You are appointed by the Six Nations Council to represent your band?—A. Yes, sir.

Q. What is your occupation?—A. I am supervising principal.

Q. School teacher?—A. Yes.

Q. Would you like to proceed?—A. May I sit?

Q. Yes, as long as you speak loud enough so that the committee reporters may hear you.

The WITNESS: Gentlemen of the committee; I am dealing with education and associated problems and related legislation, and I do not propose to speak for any other group or any other reserve. If any of our recommendations may be applied to other reserves and be of help to them, so much the better.

Education is the basis of progress of any people or group of people and the cultural and even economic standards of any people or group of people may often be measured by the education which such people or group of people have attained. In dealing with education it must be understood that the Six Nations have only recently emerged from a primitive stage in human development. Only then can the results of such contact with highly organized civilization be understood. The whole problem of the Six Nations will resolve itself into finding a system of education which will help bridge the gap between their economic and cultural levels and the cultural and economic levels reached by their white neighbours, and to put this system into practice with such speed as is economically sound.

During the last year I have noticed many things and I would like to enumerate them to you.

First, the relationship of the number of pupils to the number of teachers in grades. The teachers' load should be reduced. Teachers should have better salaries. At the present time the average salary is \$1,500; the lowest being \$1,200 and the highest \$1,800. I understand that next fall they will receive a minimum of \$1,500 and a maximum of \$2,100, and with additions in the form of annual increases of \$100 each for six years.

Secondly, the lighting of the schools should be improved and provision should be made for manual training, home economics and agriculture for Grades VII and VIII and possibly Grade VI.

Everyone should have an opportunity to go to high school. Every year of extra education a pupil receives counts for something you cannot measure in dollars and cents, and the money spent is not lost.

The way you deal with an Indian family is different from a white family; therefore, I believe that all those connected with Indian education should have a good knowledge of Indian psychology. By having Indian teachers you will

get closer harmony between the instructor and the pupil. I believe we have the best rural education set-up in the province, but a purely academic course falls short of preparing the vast majority of our Six Nations' youth for the life which they must face. That is why I said provision should be made for manual training.

Some plan should be devised whereby school supplies could reach the reserves more quickly. We have teachers in the crafts, and they should be allowed to buy supplies as required. In the spring the teacher does not know the requirement for the next fall; for instance, she does not know the number of pupils or the number of projects that she may undertake. The teacher of No. 6 school this year made a fine display of handicrafts and she bought the supplies with her own money.

Last fall the children were given an I.Q. test and we found they placed on the same level as the children in Brant county.

I should also like to suggest that scholarships be offered. Offers of scholarships in the direction you want the student to go are always helpful; for example, a normal school scholarship.

I would like to emphasize to the n-th degree that the Six Nations are following the curriculum as prescribed by the province of Ontario because the background of the Six Nations' pupils is comparable to the background of the average rural pupil and they are able to assimilate the instruction given; and those who wish to obtain a higher education must meet the requirements of the province.

A word about history books. History books grossly exaggerate the violence of our forefathers and present the Indians in a bad light.

I believe that our health education should be improved. Health education is given by nurses. We have that now; but I believe they should serve extra nourishment, they should have hot lunches and pasteurized milk. And I believe pasteurized milk is the greatest need.

Next is the matter of sanitation; washbasins, tubs, soap, paper towels; and pails, water containers and we need better toilet facilities.

To the best of my knowledge at the present time there are no communicable diseases and few deficiency diseases. Most of the pupils appear to be well-nourished but there are a good many who are in urgent need of dental care.

There should also be some provision for the education of the parents in the home. I think the answer to most of our problems lies in education, not only of the children but also of the adult. Home conditions have a great influence on our children.

The CHAIRMAN: Thank you very much, Mr. Hill. We appreciate that. Now, if you gentlemen will kindly retire, we will call Mr. Sam Lickers.

**Chief Sam Lickers, representing the hereditary chiefs of the Six Nations, called:**

The CHAIRMAN: Mr. Lickers, I believe you represent the hereditary chiefs of the Six Nations?

The WITNESS: Yes, I do. Of course, we are not too badly off. The official representative for Six Nations has brought out most of the points in which we are concerned, but he speaks for this new council which we do not accept. There is one thing, however, which I would like to make clear, and it is this; that if it had not been for our forefathers much which you have and enjoy to-day would have been lost.

I have to ask you to make allowances for my limited education. I have some material here which I would like to read but I am afraid my English is not equal to it.

The CHAIRMAN: Do I understand that you have a brief which you would like to present?

The WITNESS: Yes. This deals particularly with the question of the status of our people. I thought we were to appear here to have a general talk.

The CHAIRMAN: Well, Chief Lickers, what would you like to do? Would you like to make your presentation, and then afterwards when we get through hearing the other witnesses we can call you back and ask you questions?

The WITNESS: Oh, I see.

The CHAIRMAN: Would you like to read this brief for the chief, Mr. Lickers?

The WITNESS: I am afraid my English would run out.

The CHAIRMAN: We will ask our counsel, Mr. Norman Lickers, to read it for you.

The WITNESS: All right.

Mr. LICKERS: The submission is as follows:

"SIX NATIONS,

Grand River Country,

May 22, 1947.

To the Parliamentary Sub-Committee on Indian Affairs,  
Ottawa, Canada.

HONOURABLE SIRS, We, the Six Nations of Grand River country under the protection of the Haldimand Deed made between Sir Frederick Haldimand and in His Majesty's name, King George III and Captain Joseph Brant, demand that you abolish the Indian Act.

It was never accepted by the Six Nations' Confederacy and was never registered. In 1869 the Indian Act was enacted by the dominion government. Before carrying it into effect the dominion government tried to get the Indians to agree to it. An assembly was held at Sarnia in 1871. The Six Nations sent delegates but when they understood why the meeting had been called, they left at once. In 1890, the Canadian government tried to maintain that the Six Nations were governed by the Simcoe Deed of 1793 and by the Indian Act. The Six Nations sent a delegate to London, who reported that the Colonial Office did not consider the Simcoe Act as valid.

On the 25th of October 1784 the Treaty between the Six Nations people and the British Crown was made which confirmed the Six Nations people an independent nation. The Charter of King George III which can be found in the House of Lords, the text of which reads as follows:—

'A Charter by King George III of England to the Five Nations Indians in North America.

#### *1st Condition*

The Five Nations Indians territorial government. Permanent independency.

#### *2nd Condition*

Conditionate permanent land of 12 miles wide on the Grand River from its mouth to its source, to the Five Nations Indians.



*3rd Condition*

Conditionate as long as the sun shall be moving in the heavens and grass growing and the waters flowing in the rivers, the Indians shall draw presents, blankets and other goods, etc.

*4th Condition*

Conditionate exemption of statute labour, toll bridges and toll ferries.

*5th Condition*

Conditionate that wherever land occupied by the white settler outside of the 12 miles wide of the land grant to Indians, it shall only be the depth of the plough that he has the privilege to use the land and the settler if he wants to build a cellar or to dig a well must first obtain permission from the Six Nations' Council.

*6th Condition*

Conditionate that certain trees standing anywhere in occupation by white settlers, holding fee simple, outside of the 12 miles wide land grant to the Five Nations, namely Basswood, Black Ash and Hickory Trees, shall be the property of the Six Nations Indians.

Games of all kinds, fish etc.—The Indians shall not be molested at any time to hunt, etc., etc.'

In 1867, eighty-three years after King George III had confirmed the Six Nations independency, Canada was created a dominion.

Honourable Sirs, has Canada to-day any authority to make such laws as 'The Indian Act' for the Six Nations people? In chapter 98, under the title 'Interpretation' in the alphabet I of the Indian Act, you will find the definition given of a 'person' of which the Six Nations people fail to understand. It reads as follows—

'Person means an individual other than an Indian.'

The year 1924, the Indian Act was enforced by the changing of our government by force of arms, abolishing our Confederacy and substituting councillors elected for stated terms, who are here today illegally representing the Six Nations people. In spite of the enforcement of the new elective system under the Indian Act, we, the people of the Grand River country have the majority under the Six Nations Confederacy. We would ask a question, gentlemen. In your democratic government where justice and honesty should prevail, when has a minority over-ruled a majority?

This, Honourable Sirs, is the Red Man's appeal for Justice.

Thank you."

The WITNESS: There is another piece there that I have to read.

Mr. LICKERS: This is a copy of sessional paper No. 151, dated Thursday, April 5, 1945.

The CHAIRMAN: What is that, again? It is a document of the Dominion of Canada. That is not your brief.

The WITNESS: That was more or less appended to the brief to confirm our idea.

The CHAIRMAN: Then I think it would be in order, to save time, if we had the sessional paper filed so that it could appear in our printed record. You will be prepared to answer questions in connection with it. I think that would be the will of the committee.

Mr. CASE: If it is not read we will not have it before us.

Mr. BLACKMORE: He may want to discuss it. We had better have it read.

The CHAIRMAN: It is a rather lengthy document; however, it is entirely up to the committee.

Mr. BLACKMORE: I would rather hear it read.

The CHAIRMAN: It reads:

### SESSIONAL PAPER NO. 151

THURSDAY, April 5, 1945.

#### CANADA

#### DEPARTMENT OF THE SECRETARY OF STATE

Return to an Order of the House of Commons, dated 22nd March, 1945, showing:—

1. What is the text of the Haldimand Treaty under the terms of which the people of the Six Nations Indians were settled on territory on each side of the Grand River in Ontario.

2. What are the terms of the lease by which part of the territory, granted to the people of the Six Nations Indians under the Haldimand Treaty, was rented by Captain Joseph Brant and what were the rentals.

3. What is the total amount of money—the property of the people of the Six Nations Indians—now in possession of the Department of Indian Affairs and how is it used and administered.

The attached information has been received by the Secretary of State of Canada from the Department of Mines and Resources.

(S.) N. McLarty,

Secretary of State of Canada

Reference No. 10

Mover: Mrs. Nielsen

Dated: April 5, 1945.

#### DEPARTMENT OF MINES AND RESOURCES

Answer:—

1. The Haldimand Treaty referred to is a grant and not a treaty. A copy of the text of the grant is attached.

2. Joseph Brant, under authority of a power of attorney, from the Six Nations Indians, dated November 2, 1796, made a number of leases to whites who settled on the Grand River. The leases were issued for a term of 999 years at a nominal consideration.

In 1830, Sir John Colborne, Lieut. Governor of Upper Canada, appointed three trustees on behalf of the Six Nations Indians to investigate and report on the claims under the Brant leases. A report subsequently was issued to which was attached a schedule of these leases indicating those recommended for approval and others which were disallowed.

3. There is an account in the Consolidated Revenue Trust Fund of Canada known as the 'Indian Trust Fund' and in that account there is shown as at February 28, 1945, to the credit of the Six Nations Indian Band at Brantford, amounts as follows:

Capital account, \$708,452.32

Revenue account, \$45,891.69

The account is administered by the Department of Mines and Resources in accordance with the provisions of the Indian Act.

NOTE:—Interest at 5 per cent is credited to the account on the 31st of March in each year.

## HALDIMAND GRANT

FREDERICK HALDIMAND, Captain General and Governor in Chief of the province of Quebec and territories depending thereon, etc., etc., etc., General and Commander in Chief of His Majesty's forces in said province and the frontiers thereof, etc., etc., etc.,

Whereas His Majesty having been pleased to direct that in consideration of the early attachment to his cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under his protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the territory of the American states or wish to retire from them to the British. I have at the earnest desire of many of these His Majesty's faithful allies purchased a tract of land from the Indians situated between the Lakes Ontario, Erie and Huron, and I do hereby in His Majesty's name authorize and permit the said Mohawk nation and such others of the Six Nation Indians as wish to settle in that quarter to take possession of and settle upon the banks of the river commonly called Ouse or Grand River, running into Lake Erie, allotting to them for that purpose six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy forever.

Given under my hand and seal at arms at the castle of St. Lewis, at Quebec, this twenty-fifth day of October, one thousand seven hundred and eighty-four, and in the twenty-fifth year of the reign of Our Sovereign Lord George the Third by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith and so forth.

FREDERICK HALDIMAND

*By His Excellency's command.*

R. MATHEWS.

Registered 20th March, 1795

WM JARVIS

Does that complete your submission?

The WITNESS: I have others to read.

The CHAIRMAN: Is it your brief or is it not your brief.

The WITNESS: It is more or less my brief.

Mr. HARKNESS: It is part of it, let us say.

The WITNESS: You must bear in mind that we have no education in the way of bringing up questions to you gentlemen. You must remember that there are two factions on the reserve.

The CHAIRMAN: Without getting into any controversy at the moment, what we would like you to do is to make your presentation any way you see fit and to submit such material as you may desire to bring before the committee.

The WITNESS: This is somewhat different.

The CHAIRMAN: You have your brief here?

The WITNESS: Yes.

The CHAIRMAN: Is this your complete brief?

The WITNESS: Just as I say, we have more material.

Mr. CASE: That is not his complete presentation.

The CHAIRMAN: Well, then, am I to take it that you have completed the presentation of your memoranda and that you now desire to make some extemporaneous remarks?



The WITNESS: Yes.

The CHAIRMAN: All right now, if you will just proceed we would appreciate it.

The WITNESS: Will that be O.K.?

The CHAIRMAN: Yes.

The WITNESS: I will try to give you the facts as they relate to the Haldimand grant that was made to us by the Crown. That was around the time of the war of the revolution. As you know, we have taken part in many wars on your side. The first war, I think you will recall, was the Seven Years' war. No doubt the committee know all about that war. Your people went in and solicited help from my forefathers and they promised it to them. I do not know whether they fulfilled it or not, but you got the consent of our people at that time to help you, and we formed the balance of power. And without that balance of power I may say, according to history, you would not have had Canada. Great Britain would not have had Canada if it were not for the balance of power. Even when they fought the French it was the same thing. We became the balance of power again. When the United States rebelled it was the same thing. That was the time when King George III instructed Sir Guy Carleton, who was afterward Lord Dorchester, to induce the Six Nations to be allies to the Crown, to stay with them at any cost. Sir Guy Carleton presented his case literally on his knees, and promise upon promise was made. I do not know that they have ever been redeemed or anything like that, but he had promised that for anything they would lose they would be recouped on the same tenure.

The history of the Six Nations is interesting no matter where and when told. When these promises were made by the representative of the King our forefathers had faith in the King because they thought that for every promise that he makes he keeps his powder dry for that purpose. They had faith. The Indians fought and died, shed streams of blood and tears, and there were many empty chairs. What did we get when the whole thing was over? They were going to make us allies. What happened? Take the letters of Lord Dufferin, which are plain as daylight. He visited our reserve in 1872, and he went back in the fall—

*By Mr. MacNicol:*

Q. 1882?—A. 1872 or 1882. Ten years would not make much difference. Lord Dufferin was here with Lady Dufferin. He wrote letters to our people, the Six Nations. I do not believe I have them with me at the present time, but it is not far from me. I can bring that up again. He said that the Six Nations were allies to the Crown, and that the friendship between Great Britain and our people, the Six Nations, is cemented with the blood of the good cause they were fighting for.

As I said a while ago there are many men who have put themselves on *Hansard* or on record that this is true, that the Six Nations hold a unique position in Canada, having a special treaty with the Crown. On pages 3646 and 3647 of *Hansard* of March 24, 1933, Mr. Elliott and Mr. Murphy as to the Six Nations of Brantford and Tyendinaga took the same position as that taken by the hon. member for Quebec south, namely that they were allies. All reserves in Canada have not the same status. All other Indians have a different status altogether.

At page 5181 of *Hansard* of June 26, 1925, the Hon. Arthur Meighen says:—

This tribe—the Six Nations—I think deserves better of us than any other in Canada having a special treaty with the Crown which this House should scrupulously honour and protect.

That is what he said. That is all we know. Of course, all that any of us know is what we have borrowed, begged and stolen. That is all any one of us knows.

At page 5180 of *Hansard* of 1925 Mark Senn says:—

The Six Nations are in a rather unique position.

He refers to the fact they were given their lands by the British Crown.

At page 1152 of *Hansard* of 31 March, 1930, Mr. Frank Smoke, M.P., says:—

It is only the Six Nations that occupy that peculiar position.

Land was ceded to them by King George III through Governor Haldimand.

I will not be long. I will not tire you. At page 2605 of *Hansard* of April 20, 1934 Mr. Frank Smoke, M.P., says:—

The Six Nations are allies of the British Crown.

The Hon. Frank Oliver, who was at one time superintendent general of Indian Affairs, says in *Hansard* of April 5, 1909:—

The Six Nations are on a different footing than any other reserve in Canada. They have a special treaty with the Crown and this House should always have that fact in view.

Then at page 4146 of *Hansard* of June 23, 1920, Mr. Meighen referred to the fact that the treaty rights affect property. It would take a long time to give all this because it is a very old matter, and these questions should be determined while we are living in the time when the wrong can be made right. Surely you gentlemen will work to that end because you can make our people happy. When your backs were to the wall we helped.

I might say here that *Hansard*, of course, is not the law, but at the same time it has been used to make the law, and it is the ideas of different men, different attitudes.

Mr. Frank Smoke has brought this question up more than once before the House of Commons. Mr. Bennett at that time thought that he knew this question pretty well. We may say here that the question has not been settled. The Haldimand question, or the status of our tribe has never been settled. Before it is settled why make amendments to the laws that concern other Indians in Canada? Why? Let us have an understanding first. Then we can make a long term agreement. Let us have an understanding first because the question has never been determined.

Take the Indian Act. It refers to bands. It is like a boy who has caught a coon twice. He says, "The coon must be mine because I caught it twice." We have two deeds. One is the Haldimand deed and the other is the Simcoe deed. The Haldimand treaty says "Under His Majesty's protection." The Simcoe deed says "Under our protection", referring to the Canadian government. You gentlemen were not so independent about that time, 1793. You are more independent now than you were at that time, but our people at that time would rather have taken protection from the Crown. The Indian Act says:—

"Band" means any tribe, band or body of Indians who own or are interested in a reserve, and so on.

The two grants that were given to us do not say that. It was given to a nation, a federated nation, so the definition of "band" does not concern my people. It goes on:—

—or in Indian lands in common, of which the legal title is vested in the Crown.

How in the heck can a man surrender his property and still be John Brown? It cannot be done, but that is your Indian Act. It is only when the land is vested in the Crown that the Indian department or government has any jurisdiction, and under no other circumstances. This grant was given to the Six Nations Indians, a federated nation.

As I said a while ago history is interesting. There are many times that your mother country has relied upon our arms, many, many times. Today it is all washed away. Since you have got fat and big you want to help to feed us and help us and tramp on our neck because you are helping us. I say do not do that because we are all human. One of the delegates said something about being a person. My mind goes back a little way on that question. We will call you gentlemen Gentiles. Before you came here we thought we were human, but when you used that word "discovery" that made us what? When any land or any country is occupied by human beings you cannot use that word "discovery", can you? It is not reasonable. The Simcoe deed—

*By Mr. Reid:*

Q. What is the Simcoe deed?—A. The Simcoe deed is the "giving and granting by these presents to the said chiefs, warriors, women and people of the Six Nations and their heirs, their full and entire possession of territory to be held and enjoyed by them in the most free and ample manner." That is the Simcoe deed.

*By Mr. Castleden:*

Q. What was the date of that?—A. That is 1793. There are two things which cause division on our reserves. It is these two deeds. It is a question on which a division of opinion exists. Some say it is only the Simcoe deed which gives them the right to make laws, but others say the Haldimand deed is an out and out deed. Some of my learned friends will say, "Oh, no, that means something else." It cannot mean anything else.

I was going to say this about the definition of the word "band." How can you use that, how can you make that thing applicable to our people? The Indian says it cannot be done.

Then we see that section 2(j) of the Indian Act reads:—

"Reserve" means any tract or tracts of land set apart by treaty or otherwise for the use or benefit of or granted to a particular band of Indians, of which the legal title is in the Crown, and so on. That is your Act. Taking the Haldimand deed I cannot see how you can apply the Indian Act to our people before the question is determined. That question should be determined for us. Who are we? Give us a break. I do not say you have never done it before.

I suppose I could stay here for a week to dwell on these things. I would say that we are divided on our reserve pretty badly because of these things. I do not know why that is. I was glad to see my learned friend, Lieutenant Colonel Randle. He has helped to dig a deeper ravine between our people. I do not know what that means. Is it to divide and rule? Some have taken that attitude, have they not, in times gone by? The first chance you get I should like you to call me back. I should like to have you question me on this matter because any argument that cannot stand criticism is no damn good.

The CHAIRMAN: Thank you very much, Mr. S. Lickers. We appreciate your presentation. If you will retire for a moment we will hear some other witnesses.

The WITNESS: I wish we could have another round table conference.

The CHAIRMAN: We will have that later on. The next witness is Mr. William Smith representing the defense council.

Mr. HARKNESS: What is the defense council?

The CHAIRMAN: The defense council has some Indian representation here. They are not official delegates from the Six Nations reserve.

Mr. HARKNESS: The Six Nations' defense council.

Mr. NORMAN LICKERS: That is not only from this reserve but from all the Iroquois both in Canada and the United States.



Mr. HARKNESS: Does it include the St. Regis reserve and the Caughnawaga, and so forth?

Mr. LICKERS: Partly, yes.

The CHAIRMAN: We will now hear Mr. William Smith.

Mr. SMITH: Mr. Asa Hill is the spokesman for the defense league.

The CHAIRMAN: You are William Smith?

Mr. SMITH: Yes.

**Mr. Asa Hill, called:**

*By the Chairman:*

Q. Have you a brief, Mr. Hill, and can you circulate it among the members?

—A. Yes, sir, I have.

Q. Can you let us have it?—A. First of all do you want to understand the constitution of this league? Do you want me to read the constitution?

Q. Have you a brief prepared? If you have we will circulate that among the members.—A. I am very sorry that we left our brief at the hotel. We were supposed to come at the end so we did not bother bringing the brief with us.

Q. You can let us have it later. Will you proceed now? How long is the constitution? Have you the whole constitution there?—A. It is a couple of pages.

Q. Can you tell us what it is without reading it?—A. My friend is more familiar with the constitution than I am.

The CHAIRMAN: Can you tell us, Mr. Lickers, what the defense league is?

Mr. LICKERS: They have the constitution there.

The CHAIRMAN: Can you tell us from your knowledge what the defense league is?

Mr. LICKERS: The defense league was an organization set up in 1925 under the leadership of Chief Clinton Rickard. Prior to that time there was some difficulty about Indians in Canada crossing to the United States, a right which was given them in the Jay treaty of 1794. To restore those rights to the Indians this defense league was set up. As a result of their work they were able to prevail upon the United States government to give Indians free passage as between the two countries. This league is merely for the purpose of seeing that that right is properly protected now and in the future; and also to protect any individual of the Six Nations Confederacy on either side in the event that they run afoul of customs regulations or that any hindrance is placed on them in crossing the border from one side to the other. They are an organization which are assisting the Indians in that regard.

The CHAIRMAN: Thank you, Mr. Smith. We would like to have this put on record. Is this your full contribution?

The WITNESS: That is the full constitution.

The CHAIRMAN: I think that should be in the record.

**"PART I OF THE CONSTITUTION OF THE INDIAN DEFENSE LEAGUE OF AMERICA:  
THE PREFACE**

The constitution of the Indian Defense League of America has hereby been drawn up and approved by representative groups of Indians from the United States and Canada and is designed and constituted for the memberships of the Indians of America only. Therefore it seeks to offend none of our people but to work for the welfare of us, the Red Man, the aborigines of America; and to preserve to us and our posterity the good established for us by the leaders of our many tribes; and to honour the humanitarian and philosophic principles of many noble sages from among our people regardless of tribe.

We, therefore, in this league pledge to continue these fundamental principles in government and conduct the life of its members, that we in this present and modern age may never forget the nobler ideals of our ancient people and to glean from modern civilization all that is good and of interest to the needs of our people.

It is designed to unify all tribes or any members thereof for in unity of purpose, the welfare, rights, treaty guarantees and privileges once awarded to our various tribes may never perish and the blood of a great race might continue to run in the veins of a people that yet can live anew in a land of tolerance, justice and freedom, a land wherein we have a just claim to live unmolested and of which we are innately the first citizens.

In formulating the final rulings of this league from the minutes of previous meetings, we must in retrospect honour Chief Clinton Rickard who founded this league in 1925 on the democratic principles of our forefathers. As the great Sachem of this league Chief Rickard has taught its members the values of justice and equality to all, the principle of democracy, the virtues of our race and character which has long been misrepresented and perverted. Under his leadership this league achieved for the Indians of America the restoration of the unique privilege of free border crossing between Canada and the United States granted by the Jay treaty of 1794, which privilege was constantly challenged and finally jeopardized by congress in a bill designed to guard the United States from certain aliens.

This league therefore celebrates this event on the third Saturday of July commemorating the restoration of these treaty rights and may it perpetually be symbolic that all treaties and laws pertaining thereto for whatever tribe or member within the league will be upheld and sought out by this league.

The Indians of America have and are responding in greater numbers to the ideals of the league and a continual demand by all classes in America for a better understanding of the present and ancient Indian race sanctions the opinion, heretofore upheld, that this league shall be based on the governmental principles of the republic known to the ancient American as founded by Dekanahwideh and Hiawatha and to weave into its ritual those never forgotten ceremonies to the Great Spirit for thanksgiving and condolence.

Christianity in its full is sacredly recognized and upheld by this league.

Dekanahwideh, the law giver appeared unto certain tribes teaching peace, power and equality to all. With Hiawatha, Dekanahwideh founded on these eternal principles the great confederacy of peace known as the Six Nations under the sacred covenant before the Great Spirit and under His seal. This confederacy was purposely constituted with the view, that all tribes might be at some time an important nation within this league and its democratic ideals; "The Great White Tree of Peace" was planted. Its roots reach out in every direction that every tribe whatsoever, regardless of creed or language might follow to the bowl of the Great Tree of Peace, and there bury all weapons of war and sit at the council fire thereof, that the Red races might never rise against each other in deadly enmity and banish forever the evils and horrors of war, dissension and petty strife, that these tribes might honorably call themselves the Red Children of the Great Spirit.

This league therefore pledges to continue this League of Peace and promote this high purpose that its members may in unity and accord work for the welfare of the Indian and that all tribes may gather under the spreading Tree of Peace that the Red Man of America might be a blazing beacon for peace and a glowing escutcheon to the glory of our race, for in the power of peace is courage, faith and humanity, and the all conquering force of justice.

A great light came to our people when Handsome Lake taught our people to live pure and noble lives that our race might grow in stature physically and spiritually. He taught us our duty to the Great Spirit, the just Giver of Life

and to honour Him not only with most colorful rites and ceremonies with thanksgiving, but with our very lives. He taught charity among all, justice and honesty.

He taught us to be kind to the aged and to our children, and prophesied that from this purity of living a mighty race will grow.

This league honours this teaching, not disparaging the word of God but holds fast to these ideals as a compliment to the fulfilment thereof. This league therefore honours the ancient religion of our forefathers and demands of all members a tolerant view and urges a pledge to follow this teaching, that our race might grow in statute physically and spiritually."

Mr. REID: Mr. Chairman, I want to ask Mr. Lickers (Counsel) for some information. Speaking for myself, I do not know anything about these gentlemen or who they are representing, and I would like to know. Is this group representing the Six Nations, are they official delegates representing the Six Nations Indians.

The CHAIRMAN: No, they are not representing the Six Nations.

Mr. REID: I would like to have explained to us just who they are. I would like to know.

The CHAIRMAN: All right.

Mr. REID: I want the picture clear in my mind. I think it should be explained who these gentlemen are if they are not connected with the Six Nations; if they are separate and apart from them we want to know who they are and who they represent. I must confess that I find myself somewhat in the dark on this matter and I want to get a clear picture of it now.

The CHAIRMAN: All right, go ahead, Mr. Lickers.

Mr. LICKERS: The first delegation that you heard was the delegation—

The CHAIRMAN: We are concerned with this delegation.

Mr. LICKERS: I thought perhaps I could explain the whole picture to you.

Mr. REID: Yes, give us the whole thing.

The CHAIRMAN: Your time is my time, gentlemen. You have a long list and little time; so, go to it.

Mr. LICKERS: The second delegation was from the hereditary chiefs of the Six Nations, as Chief Lickers pointed out. When the Indian Act came into force and also when the hereditary council was abolished on the Six Nations reserves and the elected council was set up there was very great division of opinion as to what authority the government had to do that, so that you have at the present time a sharp cleavage between them; the elected council and the people of the Six Nations reserves who believe that the government had no authority to impose the Indian Act on them still carry on under the old hereditary chief system. They hold council meetings and everything else like that. The next delegation that you had was the hereditary council; and now you have before you the Indian Defense League of America which comprises people from both the hereditary council and the elected council who are interested in seeing that the Indians are properly protected in connection with border crossings from Canada to the United States and vice versa. They are all Six Nations.

Mr. BRYCE: They are all Six Nations Indians?

Mr. LICKERS: Yes.

Mr. BRYCE: But they are not all from the one reserve?

Mr. LICKERS: No. They are all Six Nations Indians, but the first two delegations that you heard come in full from the Six Nations reserve.

The CHAIRMAN: Yes, but to become a member of the defense league you do not have to be a member of the band; it does not matter where you live.



Mr. LICKERS: No, no.

The CHAIRMAN: You mean it is only for the Six Nations?

Mr. LICKERS: Only for the Six Nations.

The CHAIRMAN: I understood there are members from St. Regis on it, and others.

Mr. LICKERS: They are all Iroquois, Six Nations.

The CHAIRMAN: But they do not have to live on a Six Nations reserve?

Mr. LICKERS: No, but you have to be a member of the Six Nations Indians, or the Iroquois Confederacy, whichever you want to call it.

The CHAIRMAN: But not of necessity a Six Nations reserve Indian?

Mr. LICKERS: No, not of necessity. This is an international organization covering all the Iroquois confederacy, as it was at one time.

The CHAIRMAN: All right now gentlemen; if you will proceed, please.

The WITNESS: Mr. Chairman, may I say at the outset that we of the Indian Defense League of America are supporting the old system of the Council and Confederacy of the Six Nations.

The CHAIRMAN: Let us get along with the brief.

The WITNESS:

### INDIAN DEFENSE LEAGUE OF AMERICA

Post Office Box 305

Niagara Falls, N.Y.

To the Members of the Joint Committee

House of Commons, Ottawa, Canada

HONORABLE SIR,—As an international Indian organization we are asked to submit the general decisions of its members and after many meetings, the following was passed and adopted as the knowledge of the Indian Defense League of America and general among the Indians especially of the Six Nations as hereunder endorsed.

We hereby present this brief summation in the good faith of a democratic Indian organization avowed to the principles of democracy and in denunciation of any form of "ism" or dictatorship. In the present confused world condition democracy is in need of every bulwark dedicated to the preservation of freedom in every form. We hope that the outcome of this brief letter will serve our white brothers to better understand our people and that the God-given principles of freedom and justice for which so much was given and for which so many died, including our own youth, will be manifest in the future dealings with our people not only in Canada but throughout America in full accordance with the Atlantic Charter.

We assume that the committee dealing with the Indian question are well versed in all Indian treaties especially of the Six Nations who have been a treaty-making people since 1530. In the Cayuga Arbitration of 1912 (Vol. I Memorial to His Britannic Majesty's Government) the status of the Six Nations was again emphasized and the Cayuga funds now held in trust at Ottawa is testimony to the validity of the many treaties involved. The generation that concluded these treaties respected the Six Nations and sincerely felt that their forbears would forever hallow these treaties and we hope that this generation of Canadians too will take the same consideration in the respect and we surely know that morality and sense of justice has increased and not deteriorated with passing generations and that this is the beginning of a broader outlook for our people.

The Indian Act which is herein under consideration and to be revised or already revised has been criticized not only by the Indian people but any one privileged to read it.

The purpose of the Act has been in the eyes of the Indian, not one of protection as stipulated by treaty but one of domination and coercive, inasmuch as it centralized authority in the Superintendent General. Its purpose seemed to be to coerce self-respecting natives into accepting enfranchisement which act many Indians repented, for they still found themselves Indians and third-rate citizens at best, off the reservation regardless of the vaunted privilege to vote. A man's children of minor age were victims of this unjust law as they were taken off the band without their individual free will which is the corner-stone of democratic justice.

The progressive Six Nations people who have counted themselves among the most free and most democratic minded people found the Indian Act accompanied by seemingly civil police the Royal Canadian Mounted Police to whom it was an end to treaty obligations and the right of a superior power to dominate minor people without respect for the elementary professes of democracy. It was a covert act about which the Canadian people knew nothing. Before the advent of the Indian Act the Six Nations were well on the way to better education and improvement but the act brought forth leaders who had no respect for their own history, traditions and self-respect and national pride; leaders who if they were not true to their own people can surely be true to no principle but graft and false vanity that this Act instituted. Our self-respecting Indians have remained adamant against the Act, the majority silently resisting by having no traffic with the law that would destroy their self-respect. Many left their farms to better conditions even without the borders of Canada with faith and hope that we could still remain Indians. The minority favoured by the Indian Act have long posed for the Indian Dept, tutored by the Indian agent. We hope that this minority will not solicit more favoritism by outright forfeiture of their own people.

The Indian Act does not protect the lands of the Indians or attempt to provide for the recovery of lands belonging to the Indians either by primordial fee simple or lands held by treaty, nor does it attempt to persecute just claims against companies or organizations who have taken advantage of the generous Indians unmercenary philosophy. It seems to the Indian that this is the first duty of a government and a people to justly protect, what little remains to the Indians by treaty, and to the people they call wards. It is a small duty when compared to the vast resources now called crown property by conjured naive phrases such as by right of colonization. We hope that public statements of this tenor do not inspire such foreign power to assume this right and start colonizing in parts of our uninhabited dominion.

The Indian department, has in no way encouraged our qualified Indians. Many of our better educated Indians have fled the country to better positions when they should be holding responsible positions as agents or guardians of their peoples' welfare throughout the dominion instead of those with pull qualification only. A disagreement with the Indian Act is tantamount to disqualification to any civil position and counted a civil misdemeanour. If the department practises this discrimination in civil liberty what chance has any Indian if he became enfranchised in competition with whites off the reserve where the same discrimination would be practised. A few paragons among our people have succeeded, the adverse is far more evident, they are those who would gladly enjoy the refuge of the Indian lands in adversity.

Our Indian women enjoyed for centuries political equality with men and to-day outnumber men in arts and education, but have no place in the Indian Act. In our present organization, our women enjoy this privilege and many are the real leaders in the community.

The argument that the Indians are backward because of being left on reserved lands is false and more rational objection to justify confiscation of Indian property. It is natural for peoples of common ancestry or race to want to live in communion with each other, hence you have your Chinatowns, Italian sections in your cities etc. There are Doukhobor settlements, German and Russian settlements, and even whole towns are national; in World War I a town called Berlin was renamed Kitchener; also vast slum districts, and back hill countries prove that the worst does not exist on Indian reservations. It is not this natural segregation that kills enterprise, it is the ever present shackling of the individual that hinders progress and crushes the morale of any people.

From the vast natural resources of this country a substantial allotment could better the condition of the Indian in health and education. A restoration of his national spirit of freedom would give a new impetus to progress. This new idea of involuntary enfranchisement which is contrary to the principles of democracy means little to the Indian as it does to a vast number of citizens, inasmuch as his citizenship to this country is one that cannot be purchased or prescribed on paper. This new idea of enfranchisement to become a full pledged citizen is superficial to a man native to the country especially when his taxes are paid for generations to come by the loss of his vast domain. This is difficult for our white brothers and immigrants to understand and we cannot believe that they are envious of the Indians unique status. We, in other words want to be Indians, self-respecting, self-governing Indians whom the Canadian people can justly be proud of as their Indians; Indians are as natural to this country as its physical features. We cannot believe that just Canadians with a sense of historical values would tolerate an overnight education of the Indian people (The Marois of New Zealand enjoy their primidorical rights and have their own representative in parliament.)

We believe in the gradual fusion of races, a gradual erosion of borders, a broadening spirit of freedom that was written into the Jay Treaty, that for them there is no border between Canada and the United States. An ideal is futuristic as the "One World" prescribed by Wendell Wilkie.

Under the leadership of the chiefs we were willing to sink or swim with the British, we stood our ground at Moraviantown when Proctor fled. We stood at Vimy Ridge and were even at Iwo Jima and Dunkerque. We have fulfilled in every way our obligations as Allies and brothers, yet on the floor of Geneva we were called "Savages". We would have our white brothers remember that through the course of our history we have never been savage enough to disown our treaties and obligations.

We hope that if there must be an "Indian Act" that it will be called by the "Indian Bill of Rights" and will be the rebirth of the old freedom once enjoyed by Indian people throughout America.

Respectfully Submitted,

MELVIN M. JOHNSON,  
*Grand Secretary.*

The CHAIRMAN: Thank you very much. Gentlemen, is it your pleasure that we meet at 4 o'clock?

Mr. MACNICOL: I cannot be here at 4 o'clock. I am very much interested in this delegation. For twenty-five years I have been a student of Iroquois history. I cannot come at 4 o'clock because we have another very important committee meeting at 4 o'clock. I wonder if we could sit in the evening once in a while.

The CHAIRMAN: We have met on several Friday evenings. We have met on some Tuesday evenings.



Mr. MacNICOL: What does that mean?

The CHAIRMAN: We will have to give it thought. We might meet again this afternoon. There is a large delegation still to be heard and we may have to sit to-night.

Mr. BLACKMORE: I wonder if we could not find it convenient to sit this evening.

Mr. FARQUHAR: It was agreed that we would sit again this afternoon at four o'clock.

The CHAIRMAN: All right, then, gentlemen; we will meet this afternoon at four o'clock, and if necessary, again this evening, if it is convenient.

The committee adjourned at 1.07 p.m. to meet again this day at 4.00 p.m.

### AFTERNOON SESSION

—The committee resumed at 4.00 o'clock p.m.

The CHAIRMAN: We will proceed with our business. The next witness we will have will be chief William Meawasige. Will you come forward, please.

Mr. FARQUHAR: Mr. Chairman, if you will allow me I should like to say in introducing the chief to-day that he is representing some ten different bands on Manitoulin Island and vicinity which includes the "Soo" line. There is also Mr. Peltier here who would probably like to sit beside the chief.

The CHAIRMAN: I think that would be quite all right if he would.

Mr. FARQUHAR: Mr. Peltier represents one of the largest reserves on Manitoulin Island, the reserve of Wikwemikong. While we are only allowed one representative by the committee he has been sent here by the other bands in that section.

The CHAIRMAN: Other bands or reserves?

Mr. FARQUHAR: I suppose we would call it reserves, but they have different bands. I have much pleasure in introducing these two gentlemen to the committee to-day. Beside the briefs on which they have all agreed they have separate briefs from some of the different reserves on the Manitoulin Island and along the "Soo" line.

The CHAIRMAN: Thank you very much, Mr. Farquhar.

### Chief William Meawasige, called:

*By the Chairman:*

Q. Chief, you are a resident of Manitoulin Island and you are chief of what reserve?—A. I am not a resident of Manitoulin Island. I am from the Serpent river band on the north shore.

Mr. FARQUHAR: He lives at Cutler just off the main line running to the island.

*By the Chairman:*

Q. You are chief of one of the reserves?—A. The Serpent river reserve.

Q. How long have you been chief?—A. Six years.

Q. Were you elected?—A. I was elected.

Q. Six years ago?—A. Six years ago.

Q. You were re-elected when?—A. I do not know about re-election. I have been chief for six years next September to be exact.

Q. Do you have an annual election or a bi-annual election?—A. In three-year terms.

Q. You were re-elected three years ago?—A. Yes.

Q. How old are you?—A. I will be 50 next month.

The CHAIRMAN: Are there any other preliminary questions that the members of the committee would like to put to this witness? Will you proceed, chief.

The WITNESS: Mr. Chairman and gentlemen: First of all I wish to thank the committee in the name of all the Indians of the northern territories whom I am here to represent. I feel that it is an honour to appear before you on their behalf and sincerely hope I may be of some assistance to the committee in the difficult task of considering what are the best changes that may be made in the Indian Act.

To the parliamentary committee for the examination of the Indian Act,

HONORABLE GENTLEMEN,—In response to an invitation extended to us to send a delegate to Ottawa to speak before your committee on our behalf, we, some thirty-two chiefs and delegates from ten bands of the Manitoulin Island and North Shore District, held a meeting in Little Current, Ontario on May 19.

As ours is a very large territory and the problems to be discussed are many and intricate, it is well-nigh impossible for one man alone to do justice to our cause, wherefore we have duly elected two delegates to go to Ottawa for us—Chief William Meawasige of the Serpent River Band on the North Shore and Lawrence Peltier of the big Wikwemikong band on the Manitoulin Island. The expenses of the latter are being defrayed by ourselves.

These men carry with them a general brief which we have all drawn up together in assembly, and which we hope they will read and discuss with you. They will also take to you various briefs from individual bands and associations, namely: Mississauga, Serpent River, Sheshegwaning, Sucker Creek, Spanish River, West Bay, Whitefish River, Wahnapiatae Bands, and Wikwemikong War Veterans' Association. Sheguiandah reserve although represented at the meeting had no individual brief. These briefs we would like to see printed as appendices to your minutes of proceedings and evidence.

In regard to the procedure at our meeting, we read through all the briefs a section at a time, commented on them sometimes in Indian, sometimes in English, and then had motions regularly moved and seconded and voted upon as to what we thought should be put in the general brief. Much of the matter of the individual briefs will, therefore, be found in this general brief, but there were other ideas, too, which were brought in by the different speakers and they will be recorded here. As our time was limited, we didn't dwell long upon some problems which concerned, perhaps, one band alone; that's one reason why we want all the briefs published so that you could read them afterward and take suitable action.

### 1. *Treaty Rights and Obligations*

It was the opinion of all that there had been far too many failures on the part of the Indian department to abide by the treaties solemnly entered into with the Indians, and the Indian department is notoriously lax in protecting the Indians' rights guaranteed by solemn treaty. If they are short of money, they seek ways to escape the annual payment of the Robinson Treaty money by striking off the list all classes of people, e.g., women who had received it all their lives until they married an Indian who didn't receive it. The mere fact of their marriage could never alter this fact, namely, that they still were descendants of the original signers of the Robinson Treaty, to which signers and to their *descendants* the annual payments were promised.

Whether it was well organized tourist organizations that wanted to deprive the Indians of their treaty-guaranteed hunting and fishing rights, whether it was game-wardens and small-town magistrates that wanted to browbeat the Indians; whether it was provincial governments that desired to wrest from the Indians rights set up by treaties made before the provinces themselves came into exist-

ence; whenever, in short, it was a case of white man against Indian, in practically all cases the Indian department was spineless enough to flout the treaties, sell the Indian down the river, play ball with the white man. They neglected their trust.

We wish to see these treaties restored to their former vigour, we want long-established abuses corrected, and we pray for a more courageous and honest Indian department in the future.

Let our Robinson Treaty, especially, be abided by hereafter in all its clauses. Let commercial fisherman and white trappers move off our hereditary preserves pledged to us by solemn treaty, let "sportsmen" seek their sport elsewhere than on our reserves, let our people get their daily food of game and fish without being arrested, fined, imprisoned at the whim of every petty official in the country.

## 2. Band Membership.

It was felt by everybody that the band councils themselves should have much more say in the matter of who is to be taken or excluded from the band. The Indian department usurps too much power to itself, and tackles more work than it can properly handle, hence endless irritating delays in transacting business. The policies in regard to band membership don't necessarily have to be the same across the entire width and length of Canada. Let each band make up its own mind on the subject, or at least have more authority in the matter than it has at present.

## 3. Taxation.

Everybody present appeared to be against the payment of income taxes and indeed taxes of any kind. The Sheshegwaning reserve were not in favour of such indirect taxes as radio licences, and the Sucker Creek reserve thought that all money derived from licences sold to Indians, e.g. to hunt and fish should go to the Indian department rather than to the province.

## 4. Enfranchisement of Indians both voluntary and involuntary.

All were opposed to any idea of compulsory enfranchisement. We are Indians and wish to remain so. But it was generally felt that if an individual wished voluntarily to enfranchise that it was his own affair and he should be permitted to do so. However, some thought that children should not be taken out of the band by their father when he enfranchised but that they should be left as members of the band until they reached an age to decide for themselves.

## 5. Voting.

Most of those assembled were in favor of voting at least in the Federal elections, and some, too, in the provincial, as long as all their present rights and privileges were fully protected and nothing had to be traded in for the privilege of voting.

The Sucker Creek Reserve and North Shore reserves developed the idea of working up gradually to the position where the Indians would have their own member(s) in parliament to protect their interests.

The Whitefish River delegation did not want to touch the vote in any way, shape or form. They feared it as the opening wedge of a process whose results they could not foresee, but thought it wise to have nothing to do with. The Mississauga band agreed with them in not wanting to vote.

## 6. Old Age Pensions, Relief etc.

The delegates agreed that our old people were not being sufficiently well taken care of. The Indian is often destitute in old age. While he might have cheaper housing than the whites, that was balanced by the fact that he had often



to pay much more for his food, since he lived in remoter areas and transportation increased the cost. All agreed we should have old age pensions, mothers' allowances, relief, on an exact par with the whites and not be discriminated against.

#### 7. *Encroachment of Whites on Indian Reserves.*

This was a matter in which several ideas were brought out. Present regulations in regard to non-Indians coming into the reserve to fish and hunt should be strictly enforced. They have been getting away with murder, especially in the shooting of deer. They coax the Indian also far too often to kill deer and supply them with cheap meat. Indian agents should be asked to check up closely on this, and game wardens could well devote some of their time and energy to this, and leave the Indians alone. It's the whites get the Indians into trouble, by tempting them to kill game for them etc.

White people shouldn't be allowed to set up as squatters on Indian reserves.

An important point is that when white men, business firms and so on come to do business on Indian reserves, the Indians should be fully protected. Sometimes firewood, cattle, timber are sold by the Indians at excessively low prices.

Since the Indians are really being victimized by some dealers, for instance in barkwood, it might be well for the Indian department to investigate the marketing of these commodities.

Care should be taken that the natural resources of a reserve aren't sold too cheaply without thinking of future generations. Some reserves give up pulp and timber rights too easily.

#### 8. *Education.*

The views of the delegates were very decided about the continued necessity of denominational schools and residential schools. These bands are made of Christian Indians who well realize the importance of religion in all phases of everyday life, and especially in education. They definitely don't want public schools.

But much more has to be done to make our schools better. The teachers are oftentimes a poor lot, just leftovers from the whites. The Indian schools should pay as much in the way of salaries as the white schools, or even more, if necessary, so as to get the best in the way of good, qualified teachers. The equipment of the schools should be improved in every way, and the schools well supplied with all they need.

The West Bay delegation emphasized a good point; namely, that in primary schools where the children in the lower grades speak Indian only, then oftentimes an Indian-speaking teacher would be more successful and accomplish more than an English teacher who might have a better certificate.

Greater efforts should be made by the Indian department to push on Indian children for higher education; the girls to become teachers, nurses and so on, and the boys to go through high school and even further. There is no reason why we should not have Indian doctors, lawyers, skilled craftsmen and so on. The department has been very backward in this matter, and has kept back the progress of the Indians.

Our residential schools should be developed in every way, and plenty of money spent on them to make up for the money that wasn't spent on them in the past years, and to make them modern in every way. They should be able to teach high school, on an equal footing with white schools.

As regards studies, books and so on, the day schools on Indian reserves should follow the course of the Ontario schools, so that children transferring from an Indian school to a white one, as often happens, won't lose a year or two.

#### 9. *Medical Care, etc.*

Some doctors are very devoted and really self-sacrificing in their attendance on the sick, but others because of old age or natural laziness don't give the Indians very good service. The Indian department should be quick to change or discharge a doctor when continued protests of the Indians show he isn't doing his job. The Indian agent, also, should check up on the way his Indians are being treated, and see that they get the care and attention they need.

Public health nurses should visit Indian schools. They are needed there more even than they are in white schools, and they should visit round the reserves more.

Dentists and eye-specialists should be supplied by the Indian department as a regular service.

Old age homes should be established wherever possible. They should be small so that the Indians won't have to leave their own reserves and their friends to go out among strangers.

On large reserves with much live-stock, some provision should be made for securing the services of a veterinary.

#### 10. *Relations With the Indian Department.*

Some agents are very good and are genuinely trying to do a good job. Many of the difficulties existing at present are due to the fact that some of these men have far more work than they can handle. They should have plenty of office assistance, so that important documents and letters won't lie on their desks for weeks unattended.

They should be free to a certain extent from too much office work, so that they can visit round the different reserves in their agency and see things for themselves and remedy matters, giving advice where needed and correcting abuses.

It would help matters a great deal, if the council itself could do more work of its own accord and make its decisions in ordinary matters. Far too much business is handled in Ottawa, that could be handled by the local council. Often-times the local council would make a better job of it. Sometimes in matters of public decorum and morality they have a clearer insight into things than Ottawa seems to have. Many clear abuses could easily be corrected by the chief and councils, that Ottawa seems never to be able to correct or even want to correct.

The two agents we have to deal with—Mr. Ross Johnson of the Manitowaning Agency and Mr. D. Lawrence of the Sault Ste. Marie Agency—seem to be very honest, hard-working, fair-minded men. If the department would help them out a bit, they could really do a good job.

It is felt that when the time comes to actually draft the new Indian Act, that the Indians themselves should assist in the drafting of it.

More and more Indians should be prepared to take an actual part in the work of the Indian department. It shouldn't be composed so much of white men. Indians could be trained for this work.

May we say in conclusion, honourable gentlemen, that we are very happy to have had the privilege and honour of appearing here before you, and to have obtained so sympathetic a hearing. Already in the minds of the Indians, your committee has obtained a great reputation for fairness and square dealing. There

is a noticeable uplifting in the mental attitude of the Indians in general, and a decided improvement in morale, because at long last it does begin to look as if they are going to be treated as human beings, as men. We thank you.

Signed by

Chief Chas. Obossaway,  
 Chief Wm. McGregor,  
 Chief Dom. Migwans,  
 Chief Simon (name not clear),  
 Councillor Jacob Bondy,  
 Chief Arthur Jones,  
 William (name not clear),  
 Wm. (name not clear).

The CHAIRMAN: Thank you very much, Chief. We would ask you to file the brief so that it may be incorporated into our records. Have you briefs from other reserves that you want to submit?

The WITNESS: We have individual briefs here.

The CHAIRMAN: Would you like to just file them and they will be incorporated into the records of our meeting?

The WITNESS: I think that would be best.

The CHAIRMAN: That will be fine. We will have them incorporated into the Minutes of Proceedings of this committee. We acknowledge them and we will have them incorporated into our record.

Mr. CASE: Mr. Chairman, would you like to put this on the record: "He also presented the following briefs?"

The CHAIRMAN: Yes, that would be as well. For the purpose of the record it will be noted that the following briefs were presented by Chief Meawasega:—

Brief of the War Veterans' Association of Wikwemikong Reserve, Manitoulin Island, Ontario.

Brief of the Whitefish River Reserve.

Brief of the Serpent River Band, Ontario.

Brief of the Wahnapiatae Band, Ontario.

Brief of the Spanish River Band, Ontario.

Brief of the Sheshegwaning Reserve, Manitoulin Island, Ontario.

Brief of the West Bay Reserve, Manitoulin Island, Ontario.

Brief of the Sucker Creek Reserve, Manitoulin Island, Ontario.

Brief of the Mississauga Indian Reserve, Ontario, (already sent in and published in 1946).

Added proofs of statements made in briefs from Wikwemikong.

The brief of the Mississauga Indian reserve has already been published in our record, so I do not think there is any purpose to be served by having it duplicated.

Now, we thank you very much, Chief, for the presentation. We will call upon you later for questions.

The witness will retire.

We will now call Mr. Henry Jackson.

**Mr. Henry Jackson, representing Robinson Treaty and James Bay Indians, called:**

The CHAIRMAN: Have you someone you would like to have sit with you?

The WITNESS: Yes, my son.



Mr. CASE: I might say by way of introduction that I visited the reserve on which Mr. Henry Jackson is and saw him while there. He is a member of the council. Their chief is Robert Mander, but he is not able to be present to-day.

*By the Chairman:*

Q. Who are the members of your delegation, Mr. Jackson?—A. Well, I represent the Union of Ontario Indians.

Q. Who are the members here with you to-day?—A. Chief Twain; and there is my son, Louis, here.

Q. Where is he from?—A. Christian Island.

Q. You represent the Union of Ontario Indians?—A. Yes.

Q. When was that organization formed?—A. It was formed last August.

Q. August 1946?—A. Yes.

Q. How many members have you?—A. We have about 6,000 members. Do you want the number of reserves represented at the meeting?

Q. Your membership, is it an individual membership or a band membership?—A. It is a band membership.

Q. How does a band become a member of this union?—A. They pass their own resolutions and send a delegation to the convention.

Q. What initiation fee do they have to pay?—A. They have no initiation fee.

Q. What annual membership fee do they have to pay?—A. They have none.

*By Mr. Case:*

Q. It is an Indian organization?—A. Yes.

Q. What official position have you in the organization?—A. I am the president.

Q. What reserves are members of your organization?—A. I can give you a list of them.

Q. Will you do that, please?—A. Yes. The list is as follows:—

List of the bands who are members of the Union of Ontario Indians.

Chapleau Indians .....	47
Chippewa Band .....	40
Rama Reserve .....	349
Christian Island .....	342
Nipissing Island .....	432
Temagami .....	107
Parry Island .....	175
Shawanaga .....	123
Moose Point .....	51
Gibson Reserve .....	238
Alnick Reserve .....	209
Mud Lake .....	333
Spanish River—1 .....	368
Spanish River—2 .....	55
Walpole Island .....	837
Chippewas of Sarnia .....	337
Chippewas of Kettle Point .....	371
Hendy Inlet .....	108

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5,320

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Mr. FARQUHAR: What is the name of your organization?

The WITNESS: The Union of Ontario Indians.

*By the Chairman:*

Q. Do you say you represent all the Indians of Walpole Island?—A. Yes, we have two gentlemen here who are appearing with us.

Q. I think what you mean is that you have a man from Walpole Island, but you are not representing all of the Indians on that island?—A. He was supposed to represent them.

Q. He was not appointed. I do not think he was appointed. Mr. Adams could probably tell us.

Mr. CASE: Are the Indians of Walpole Island members of your organization?

The WITNESS: Yes.

The CHAIRMAN: Some of them are, but not all.

The WITNESS: I do not know about that.

The CHAIRMAN: This 837 represents all the Indians on Walpole Island.

Mr. FARQUHAR: What makes you think they are not?

Mr. CHAIRMAN: The reason I say that is that I have had many representations made to me to the effect that they are not represented by the organization.

The WITNESS: I believe you had better have Mr. Sands here.

*By the Chairman:*

Q. He is not the chief there, is he?—A. He is not the chief, but he was sent here by the band.

Q. By the council, was he?—A. Yes.

The CHAIRMAN: Were you sent here by the band, Chief Sands? Did the council at Walpole Island send you here?

Chief SANDS: Me?

The CHAIRMAN: Yes.

Chief SANDS: No. I am on the executive committee of the North American Indian Brotherhood. I had a meeting to attend and I went.

The CHAIRMAN: That confirms what I have said. When you say that you have 5,320 as a total that really is not quite right, is it?

Mr. CASE: However, that is his statement.

The CHAIRMAN: Yes. You are a delegate and a representative of the northern Indians. Now, we would like to hear you. Will you go ahead with your brief, Mr. Jackson, please?

The WITNESS:

## BRIEF OF THE UNION OF ONTARIO INDIANS' ORGANIZATIONS IN THE PROVINCE OF ONTARIO

SUBMITS:—

To the Chairman, honourable members of the joint committee, Senate and members of the House of Commons, especially appointed to investigate treaty rights and to consider the revision of the Indian Act.

Before I go on I must say one thing. I want to thank the chairman and the members of this committee for recommending and passing the old age pension bill for the old Indian people. That has been appreciated all over the country, and the decision was a noble one. Thank you.

The CHAIRMAN: I must say that we have recommended it, but that has not yet become law, as you know.

The WITNESS: Of course. I did not say that.

The CHAIRMAN: I know. I want you to know that while it may be passed we do not like to get too enthusiastic.

The WITNESS: Yes, I know.

By and under the direction and recommendation of the Resolutions Committee of the Union of Ontario Indians, an organization of Ontario Indians assembled in conventions at Parry Island on August 19 and 20, 1946; Rama Indian reserve, October 20, 1946, and at Sudbury, Ontario, February 24, 1947; accredited delegates from various parts of the province attending and took part in the deliberations on the issues vital to the welfare of the Indian race. These conventions were being held in an effort to organize the entire population into one body, and in order to speak with one voice. As suggested by the Honourable Mr. Glen on December 14, 1945, speaking in the House of Commons:

I am satisfied that unless we get some united representation of the Indians throughout this country we shall not be very successful. I believe that isolated expression of opinion coming from individual bands or groups of Indians will not meet the situation.

Therefore, on the strength of that statement we made an attempt to organize and, under great handicap, as the territory is large and to cover the scattered Indian communities has been difficult and one of the main drawbacks is the financial situation amongst the Indians generally.

We have made a good start. The Union of Ontario Indians is the only organization that represents a large percentage of Indian population of Ontario southwest, the central and the middle north comprising the Robinson Huron and Superior treaties are largely represented, and treaty No. 9 among the Crees in the James Bay region having representation in this union; in order to carry on effective work the government must give some assistance and grant each band sufficient funds for travelling expenses from the band funds, and to give authorization to the bands to pay such expenses to a band representative, or its delegates attending provincial conventions. Similar to the old Grand Council of Ontario which was recognized as an institution of Indian official organ, or body, whereby Indians of Ontario approached the government for redress.

Under Dr. McGill this financial arrangement of the Grand Council of Ontario was entirely cut off. Consequently this organization immediately dissolved.

The Union of Ontario Indians demands the recognition of this organization on the same basis as it was before McGill's stoppage of grant. You find that the Indians will co-operate in every way possible. We grant guidance and sane aid.

We had no money. You cannot go on with an organization without money.

The CHAIRMAN: It is difficult.

The WITNESS: This is a short brief. I do not want to take up too much of your time with a long brief, but I want to make clear the position of the Indians and the Indian department.

## CONCLUDING STATEMENT WITH THE PRESENT STATUS OF THE INDIANS

By authority given it by the "Indian Act" the Department of Mines and Resources, Indian Affairs Branch, governs the Indians of Canada.

Section 2, Subsection (b) defines the responsibility of the "Government and the Indians in that Section. It also defines the position of Indian Council when action is being taken by the Band as such means the Band in Council. Yet in Section 99-A the power of the Indian Agent overrides Indian Council."



Section (1) defines the meaning of a person. "It appears under the present Act, Indian is not a person. Therefore in this respect the civil and military laws of the country are not applicable to Indians; in Peace, Indians do not possess the qualifications of a person or man—See Dominion Elections Act."

The Indians are subject to the ruling of the Department of Indian Affairs, presided over by the political head, the honourable Minister of Mines and Resources, and from his decision there is no appeal. The department acts on all matters on the report of the Indian agent, under section 99A of the Indian Act. An agent is appointed through the recommendation of the Department of Indian Affairs and he presides over all meetings of Indian councils and controls all proceedings. He has sovereignty power to govern as he sees fit. The Indians are not at liberty to deliberate over and discuss their own domestic problems. They are tied down to a helpless condition and cannot move unless and until the Indian agent so directs. The fact is, under the present law, the Indians of Canada are unable to legally speak for themselves. They are a subjected race, held down and made helpless by the very Act which is supposed to help and protect them. The Indians cannot go direct to the Department of Indian Affairs for redress of any grievance. All communications must go through the Indian agent, who, in many cases is the direct cause of a grievance. The agent has power to veto any resolutions of the Indian council, and any effort on their part to go over his head will be totally ignored by the Department of Indian Affairs. Expenditures on public health, education and police cannot be made unless recommended by the Indian agent. Under the present administration, council are under the exclusive control of the Indian agent, and the Indian councils are no longer considered as the controlling body of any Indian community. The Indian agent's duties are becoming more and more like a commander of an internment camp of a defeated enemy. That was not meant to be and was not the intention of the British government.

Now, I wish to quote from an old document of April 28, 1792.

The CHAIRMAN: What document is that?

The WITNESS: It was sent to me in this shape. I do not know where they got it from.

The CHAIRMAN: What is written on the outside of the document?

The WITNESS: This is the report of the executive conference of the North American Indian Brotherhood.

The CHAIRMAN: This was printed recently, was it?

The WITNESS: Yes. May I go on?

The CHAIRMAN: Oh, yes.

The WITNESS: I am not an experienced speaker. If you will allow me to go on I think we will get on better. I am not a politician and I cannot speak when I am interrupted. I want to have my own way about it, if you do not mind.

The CHAIRMAN: We want you to feel free to present whatever you want to present; feel that you can do it freely and easy; but what I am asking is what you are reading from. I thought you said you were reading from a document dated 1790.

The WITNESS: It must have been taken from a document.

The CHAIRMAN: I was trying to identify what you are reading from.

The WITNESS: It says:—

April 28, 1792. To the Lords of Trade, re Indians: Britain and France have always considered the Indians as free nations. I further state that the Indians can in no way be deprived of their rights. Their territory and their hunting shall be fully protected.

There is another part on July 9, 1799.

Downing Street, London, England. Requisition for presents to keep the Indians in a happy state of mind: 600 silver arm bands, 400 silver broaches. To Sir George Arthur from Lord Glenelg: With this in view I should propose that at the first meeting of the Indians an assurance should be conveyed to them, in a most formal manner, that Her Majesty's Government will protect their interest and respect their rights in regard to the lands on which they settled.

You know it appears to me that the government at that time and the parties in power had as their only object and concern to pacify the minds of the Indians.

In early days the Indians were very suspicious of the injustice which was their lot, and not knowing the value of silver arm bands and broaches, were an easy prey of the ever cunning white man.

The country and all its untold wealth in natural resources were the heritage of the Indians and before the white man came the Indian was free and happy. The white man came with his religion and relieved the Indian of his means of living, and left in its stead trinkets, firewater, diseases of every description, poverty and no future. Education and cultural advancements are almost stationary at the starting point. We are centuries in the rear.

I might say who is responsible for the sad plight of the Indians to-day? That is the question. We want a better system of education and adjustment of treaty obligations to meet present-day conditions.

Many a brave lies buried on foreign soil and many an Indian mother's heart has been broken for the freedom the white man has. They returned as heroes but were soon forgotten. In the second great war many again have joined the fight for the same cause their fathers fought for in 1914-18. They were with Canada's forces at every scene of action fighting for freedom and justice, for the very thing they've never had themselves.

I want to present a memorandum that was adopted at the Sudbury convention.

Moved by Elijah Tabobondong of Parry Sound and seconded by Douglas Sissinah, Spanish River.

Be it resolved that Union of Ontario Indians duly assembled in the City of Sudbury, Ontario, this 24th day of February, 1947.

That by virtue of treaty rights and obligations of the responsible government, we the Union of Ontario Indians do hereby respectfully demand under clause of the following paragraphs.

The said William Benjamin Robinson on behalf of Her Majesty, who desires to deal liberally and justly with all her subjects further promised and agrees that should the territory ceded by the parties of second part (Indians) at any future period produce such an amount as will enable the government of this province without incurring loss to increase the annuity hereby secured to them and in that case it should be augmented from time to time and further to allow the said Chiefs and their tribes the full and free privilege to hunt over the territory now ceded by them and to fish in the waters thereof as they have heretofore in the habit of doing.

No. 61. September 9, 1850, at Sault Ste. Marie. That the conveyances of the natural resources of the province did not include hunting, fishing, trapping and water rights. These were reserved for the sustenance and livelihood of the Indian nations and the provincial game laws is not effective on the Indians whatsoever. And furthermore the federal nor

the provincial governments have no jurisdiction to legislate any treaty out of existence unless the representatives of the signatories to the treaty so desires and give consent thereto. In view of the stipulations under the Treaty of 1850, we demand that Indians' exclusive rights to trapping, hunting and fishing be returned to them and that no white man be allowed to trap fur-bearing animals in the territory covered by the Treaty and that all streams, rivers and lakes be made available and accessible to the Indians exclusively to provide them with a livelihood in accordance to the written provisions of the responsible government as set out in the Treaty.

That all licences paid by the Indians and fines on conviction for infraction of game laws be refunded to them as being in contravention of the rights reserved to the Indians under the terms of the Robinson Huron Treaty and the restoration of the aboriginal rights is hereby demanded in the light and terms of the Royal Proclamation of King George III on which the foundation of all treaties are based.

We further demand that the benefits agreed upon under the Robinson Treaty be now raised to a level high enough to meet present-day conditions viz.,

The proper care of the indigent Indians,

The proper care of the aged Indians

The proper medical care of the sick

The supplying of proper hospital facilities

Assistance to Indian agriculturalists

An immediate housing program be inaugurated to generally improve Indian communities which are sadly neglected.

Assistance to be given to commercial Indians in fishing and in industry.

Special consideration be given Indian veterans. Furthermore, we demand that all islands being and lying on inland lakes covered by the Robinson Huron Treaty and in the Georgian Bay not reserved by the Indians for use as reserves be sold forthwith for the benefit of the Indians and the accounting of the Department of Indian Affairs of all moneys derived from the sale of said islands.

Carried unanimously

ALFRED TABOBONDONG,  
*Vice Pres. and Chairman*

ELIJAH TABOBONDONG,  
*Assistant Secretary*

HENRY JACKSON,  
*General Secretary Union Ontario  
Indians and Secretary of N.A.I.B.*

### *Education*

Since education is one of the prime needs of the Indians immediate steps should be taken for a full survey of the needs of the Indians as to the available schools now used and steps taken to see that additional schools are provided as soon as possible so that every Indian child would have an opportunity of acquiring an education according to his capabilities. Assistance should be given to those who are capable of acquiring higher education. Vocational guidance and training should be made available to those children who are unable to attend secondary schools. A system of adult education should be instituted and this may well be accomplished in conjunction with the schools by evening classes or other projects and this would tend to make a more harmonious relationship between the parents and the teachers which would lead to better attendance by children.



Increased per capita grants should be made to the residential schools. Where there is any farming land in connection with residential school near a reserve, provision should be made in connection therewith for instructing the Indians both attending school and those on the reserve in farming, dairying, poultry raising and other farm pursuits.

The curricula in the schools should be the same as those in the province with special instructions in the handicrafts originally carried on by the Indians attending that school.

All teachers should be duly qualified teachers and on the same standard as teachers teaching in the public schools of the province and at a salary at least equal if not larger than those ordinarily paid to provincial teachers. All teachers should be civil servants. Indian teachers should be hired wherever qualified.

Crowding in the schools should be done away with and be prevented in the future.

Hot meals with milk should be provided at all the day schools at noon. Such could be done as a practical basis to teach the pupils household duties, etc.

### *Health and Welfare*

Proper medical facilities should be available to the Indians. In the more remote districts central public health units should be set up within a reasonable distance of the reserves so as to be available to the Indians in that district. Dental clinics should be also made available to the Indians. Central hospitals should be made available for Indians who need hospitalization.

The Indians should be given guidance in setting up their own sport and athletic associations for the young people.

Public health nurses should be supplied to the reserves.

### *Powers of Band or Council of the Band*

The band or council of the band on every reserve should have full authority over their own local affairs. The Indian Act should be amended so that the band or council of the band would have the same authority as has any municipality in the province in which the band or reserve is situated.

### *Trust Funds*

The Department of Indian Affairs should immediately give an accounting to each band, the position of their trust funds and each year should place to the credit of band or council of the band, the 5 per cent interest on such trust funds with authority to the band or council of the band to expend same as they saw fit.

### *Enfranchisement*

There should be no compulsory enfranchisement of the any Indian but it should be entirely voluntary by any individual Indian. However, greater safeguards should be taken as to the qualifications of the applicant and the same should not be granted indiscriminately. Minimum qualifications should be established and the applicant should have assets owned by him to an amount of say \$1,000.00.

As far as we know a lot of Indians went off the reserves, and they would like to get back.

### *Taxation*

Under the provisions of the Indian Act, Indians were not to be liable to be taxed for any real or personal property and this should cover all the property including income earned by Indians and the Act should be amended and clarified to carry out that intention. This should also be made to include custom tax on any property bought for the Indian's personal use by an Indian and brought in from the United States.

The next section is social security and pensions. I do not think I need to read that. It has already been passed as to old age pensions. I will pass that.

### *Agriculture and other Industries*

Competent instructions by competent instructors should be made available to the bands engaged predominantly in agriculture so that the Indians may be taught the best methods to utilize their own lands and thus help them to become self supporting throughout the year.

Due to the Indians' inability to borrow money to start any projects in an industrial way, loans at a nominal interest rate should be made available to them to get them started with farming, for sawmills for the northern Indians and any other industries suitable for the locality in which the reserve is situated.

### *Administration and Personnel*

The persons administering Indian affairs should be competent men, and only those with a sympathetic understanding of the Indian mentality and who are willing to co-operate with the Indians should be appointed and especially if an Indian is qualified he should be appointed to the positions available. They should all be made civil servants but the Civil Service Act should be amended so that competition for such positions would be on a provincial basis rather than on a local basis as at present. Ministerial appointments should be abolished. Greater care must be taken in the appointment of Indian agents because of the important and influential positions held by them.

There is a complaint from the Spanish River reserve. The chief, who was at the Sudbury meeting with his associate, brought this complaint. I hope the officers of the Indian department will listen to this.

The council of the band have passed resolutions asking for an appointment of an Indian constable to police the reserve as well as a truant officer for the reserve and such requests have been ignored by the Department of Indian Affairs.

The children are out of control and many will not attend school.

Bootlegging operation on the reserve is at its height. Indians are drunk on the reserve nearly every night, fighting and disorderly with no respect for law and order. Conditions are growing worse. The mounted police cannot handle the situation as the nearest mounted police station is at the Soo, nearly 100 miles away, and when they are summoned to come, everything is over when they arrive.

The only solution is by an appointment of a local Indian constable with powers to arrest offenders of the law and to protect the interest of the inhabitants.

Inspector Arneil was on our reserve and he was informed of the situation.

The Indian agent is not taking steps to remedy the conditions.

The ladies' organization on the reserve are also joining in this protest for remedial action.

This is the situation as presented to the convention with a request for representation.

Moved by Elijah Tabobondong and seconded by Leonard Monogue that whereas the representatives of Number Nine Treaty Indians are aggrieved by the treatment under the provincial game laws by not being allowed to fish for food for their own use and most of the trapping territory now is being occupied by foreign trappers under licence, the Indians hereby complain that their interest has been neglected and hardships have arisen, we the Union of Ontario Indians demand that the living conditions of those Indians be investigated within the limits of the said treaty and some remedial action be taken immediately as it is urgently needed.

Mr. Chairman, I have one or two more items to present to the committee if I have the time. There is the question of the Timagami band at Lake Timagami. That band has no reserve. When the treaty of 1850 was signed at the Sault they were not informed of that convention. They were ignorant of the treaty that was being signed. From time immemorial they have occupied Lake Timagami and the surrounding district. I could not say from what part of the country they came, but ever since they can tell they have been there. When the treaty was made in 1850 they included that territory. They ceded their territory including their own aboriginal home. The ancestral home was ceded by the parties who did not know they were there. I suppose if they had known these people were there they might have sent an invitation, but these people were ignorant of the fact that this was done. These people have lost their reserve, the place selected for their permanent home. The consequences are that some years afterwards they found out they had no home.

*By Mr. Lickers:*

Q. What tribe do they belong to?—A. The Chippewa tribe. This is what Alec Paul says:—

I, Alec Paul, a member of the Timagami Indian reserve, aged 74, was born the 22nd day of December, 1873. My father, whose name was Big Paul, and his ancestors occupied the land around Austin Bay as their permanent home. We occupied the whole area and the surrounding lands of Lake Timagami. We have from time immemorial derived our livelihood in this territory. No other Indian, so far as Indian history goes, has ever occupied this area. My father and his family and other members of the band selected the said Austin Bay reserve as their permanent place of abode. When the treaty of 1850, September 9, was signed at Sault Ste. Marie our chief and band were not notified and were ignorant of the treaty making convention as stated before, and therefore we are not a party in any shape or form to the surrender made that covered our territory as well and also included in that surrender our ancestral home. We have always considered up to the present that not at any time have we made treaties with the Crown to relinquish our reserve. The territory covering the rivers, lakes, forests, streams and outlets in the district of Timagami was never surrendered by our people.

He goes on to say:—

Some years after the treaty of 1850 an official of the government arrived in that district and began to take names and pay them treaty money. The following year after that an Indian agent by the name of Walton of the Parry Sound district visited the reserve and paid treaty money at the Hudson's Bay post at Bare Island for the convenience of all parties concerned, and the question arose at that time as to our permanent home. It was then discovered by the Indians that there was no provision made for their reserve. Dr. Walton asked the Indians to make out a map of their reservation. The chief made a draft of a reserve selected and then at that time occupied by our people. At Austin Bay several houses and clearings had already been made and homes established, and the boundary line east and west across the lake is shown in the enclosed sketch.

He had a sketch of the reserve they had really selected. They made a map of it.

Dr. Walton had taken down to show the department what they wanted, and since that they never heard anything about it until recently when the Indian department tried to purchase or did purchase the Bare Island point.



I visited Bare Island point personally twice, and I know from what I saw that there is nothing but rock, thistles and a few willows on that point. If the Indian department has an interest in the welfare of the Indians they should see to it they have their own choice of their home. Bare Island is really the true name—b-a-r-e—nothing but rock. Mr. Arneil has been there. He would bear me out on that. I think that is the end of my presentation on behalf of the Timagami band. There is one more thing here. They have been prosecuted for the infraction of game laws, and something must be done to remedy the situation.

Some of this chief's nephews pay fines as high as \$30, \$40, \$50, for taking animals for their own livelihood. It was not so in the treaty. Their rights must be protected and I appeal to you hon. gentlemen for serious consideration of this matter. I have one or two other briefs but I will file them to-morrow if it will be satisfactory to you.

The CHAIRMAN: There is no objection to that. I do not think the committee will object to you filing those briefs to-morrow. That will be quite all right. Thank you very much for your presentation to-day. If you will now retire Chief Tom Roy is here.

**Mr. Tom Roy, representing the Northwest Angle Treaty Indians, called:**

*By the Chairman:*

Q. Are there any others with you in your delegation?—A. No, I am all alone, presenting the brief.

Q. First, Chief; you reside, where?—A. On Whitefish Bay reserve.

Q. Where is that?—A. That is between Kenora and Fort Frances.

Q. How long have you been chief?—A. I am not the chief of any band.

Q. You are not a chief?—A. I am not a chief. I have been referred to as chief, but I have to qualify that.

Q. How old are you?—A. Twenty-seven.

Q. Did you attend an Indian school?—A. Yes. I attended the Whitefish Bay day school on the reserve.

Q. How far did you go?—A. Fifth grade, and then I went to the sanitarium in Fort William and while there for two years I took a bookkeeping and correspondence school course and learned a little history.

Q. That is interesting. How long were you there?—A. Two years.

Q. What do you work at now?—A. Prospecting.

Q. Are you getting any good leads? Are there any other preliminary questions members of the committee would like to ask? If not, would you proceed with your brief.

The WITNESS: Yes.

Mr. Chairman, honourable members of the committee: It is an honour for me to be given this opportunity to present to you some of the grievances that are most urgently in need of correction by this committee. I can only speak in general terms to cover all of Treaty No. 3. I had called a meeting of my Indians for the 26th of this month when we were going to prepare our brief, but since I got your invitation and the date of my appearance here was set, I cancelled the meeting and I am not able to give you a full report, such as I had wished to present. I was unaware that I would be appointed to represent Treaty No. 3. According to the minutes of your proceedings, there were to be six from Ontario, but their names were not known.

Being a prospector, I know a little about agreements. If a mining company and I had signed an agreement, we both would have to consult each other if we should amend or cancel some terms of our agreement. I could not at my own free will change my contract; the other party would have to give his consent. A treaty is the most solemn contract. A law is an entirely different thing because legislators are over the law and can amend or abolish it at their own free will, but cannot change a treaty without consulting the said party on the agreement.

I shall deal first with the treaty and guarantees on avocations of hunting, trapping and fishing.

This Treaty was signed by representatives of Her Majesty the Queen on one part and representatives for the Indians on the other, in which both parties were bound together by their own signatures. This treaty is known as N. W. Angle Treaty No. 3 and was made on the 3rd day of October A.D. 1873, and the tract surrendered comprised some 55,000 square miles as described in the treaty. I want to remind you that a treaty is a most solemn contract between two parties. No one party can from his authority alter or cancel the said contract unless both parties should at their own free will cancel or abolish the treaty.

We, the N. W. Angle Treaty Indians, contend that the terms of this treaty were violated or abrogated by the Federal Government on or about April 16 1894, when, without notifying the Indians, the federal government transferred the natural resources to the provinces, with whose laws we have to comply since then. The Indians have tried to protest against this; they have made trips here to Ottawa asking the Indian department for protection. The answer has been: "This comes entirely under the provincial governments, and there is no authority whatever vested in our department to change their laws". That of course is true. I appeared in court once for two Indians as interpreter some two years ago at Kenora, who were charged with violation of the game laws of the province. They were caught commercial fishing outside of their licensed territory, and while lifting their nets a game overseer arrested them and seized their equipment—nets, boats and motors. These nets were set alongside Indian reserve, Whitefish Bay, where I reside. These Indians of the Whitefish Bay band have had a commercial fishing licence for several years and there are 36 heads of families fishing on this licence, members of this band. The lake for which the licence is given is small for the number of Indians trying to make a living on it. Now when a white man has a licence, his fishing waters are the same size as given to a band of 36 Indians. Some of the Indians sneak outside this lake to fish, as it is so crowded; and when they are caught they are arrested and found guilty in court; some are thrown in jail if they cannot pay their fines. These two men I referred to were found guilty and were fined. I contended they were fishing alongside the reserve and, according to the terms of our treaty, they, the said accused, claimed it was their right to fish anywhere outside any reserve, as promised in the avocation guarantee contained in our treaty. The presiding magistrate found the boys guilty under violation of the Game and Fisheries Act, and that the treaty no longer existed or was recognized by provincial authorities. Due to the sympathy of this magistrate, through my efforts, the boys in question were given back their equipment and were allowed to continue their fishing. I just mention this as an instance to show the effect of the changes of the one-sided alteration of Treaty No. 3. Several of our nets have been confiscated time and again by the provincial game wardens. I do not need to go into full details; this is just to let the committee know and ask that some protection be given to these Indians of their aboriginal rights which were guaranteed to them by Her Majesty the Queen.

It is the same with trapping and hunting: we have to comply with the provincial game laws. We are not law breakers and we are not against conservation of game, fur and fish, but since it is, as we claim, our right as guaranteed to us in a treaty, we ask you that you correct this wrong as it is a violation of the white man's word. Also that when you come to a conclusion, you notify us. We ask that some settlement or agreement be made which will be binding. We want to have a voice in this matter and not be represented by the Indian department, but to have their help and co-operation. We ask that we be given adequate compensation, with royalties or percentage interest of the natural resources given to us by treaty, and that we the Indians surrender these rights only on mutual agreement, and we will reserve some areas where we will hold our trap lines and fishing grounds. For the time being, before this settlement be made, we ask that some protection be made for these Indians to fish nearby their reserves.

You will note in the submission sent in from the Treaty No. 3 Wabigoon band, dated the 10th of July, 1946, that their main problem is hunting and fishing. I support their statement where they say in the last line of the first paragraph: "It is plain to see that nearly all of our treaty agreements have been violated." (Page 857—No. 21 (1946) appendices.) And this letter from our former Indian agent will also verify my statement:—

Kenora, Ontario,  
March 4, 1940.

Chief Bob Roy,  
Whitefish Bay, Ontario.

DEAR CHIEF,—I have received a letter from our inspector in Winnipeg, regarding the question of violation of the provisions of the Game and Fisheries Act, and in some cases the special fishing regulations, Act, and in some cases the special fishing regulations, and I have been instructed to advise all Indians that they must comply with the law relating to either game or fishing matters and under no circumstances must they obstruct a game or fishery officer in the execution of his duties.

Misconduct by our Indians will only tend to tighten the regulations and make living conditions more difficult. Kindly instruct all your Indians to do what is right.

Yours truly,

FRANK EDWARDS,  
*Indian Agent.*

### *Liquor*

In the matter of liquor for the Indians, we suggest that we be given the same privilege as the white people. The same laws should be applied. In this way a lot of trouble would be prevented. An Indian will get his liquor regardless, but from a bootlegger, or he will get poisonous stuff such as lemon extract, rubbing alcohol and a number of other things, for which he will pay a considerable price. Depriving anyone of anything only makes one worse. During the time liquor was rationed, the liquor stores were full all the time; now when the rationing is off there is hardly anyone in these stores. Even the white people are that way too. So, since we are debarred altogether, it only makes the Indians worse. When they get hold of a bottle, they drink the liquor down as fast as they possibly can, in fear that the police will catch them with a bottle on them. Some may try to keep away from towns, being afraid they might get picked up; they wander off, probably fall asleep on a railroad track and get run



over. Some may go in a canoe, which probably will capsize and they will be drowned: that has happened time and again. Just before I left Kenora I went to see the police regarding this matter and they agreed that it was a good suggestion to make, that we be given this privilege. In the town of Kenora alone last year, the Indian fines on liquor were \$1,500, which all went to the federal government. The town solicitor is preparing a brief to ask that half of these fines go to the municipalities. In my opinion, this will make conditions worse for the poor Indians because the local police will be after them more. Not only when they do anything wrong, but if the police even smell anyone who has been drinking, he will be arrested. I have noticed several times the police talking to an Indian so closely that I thought he was trying to find out if he had been drinking.

In the matter of some of the Kenora citizens discriminating against the Indians, I took it up with the police and they said that it was out of their jurisdiction and could not do anything. The Indians are not allowed to occupy rooms in any of the hotels. I cannot even get a room myself. The information I got from the police was that the Indians are filthy, and some would get a room and would raise some trouble drinking. But why should I get blamed just because my fellow-Indian did something wrong? I have seen white lumberjacks filthy and raising a lot of trouble in rooms, more than I ever do or ever will do. So filthiness is not the reason. It's because we are Indians. Some of the restaurants would not serve Indians for the same reason. I was told once to get out; they told me that, being an Indian, they would not serve me. At the Palace theatre the Indians are given the farthest section of the theatre to watch the show. We are not allowed to sit with the white people or pick out our own seats. At the Bijou theatre we are not allowed to go in at all. Now our money is just as good as yours. This has been practised too long and I ask you that you put a stop to it.

### *Education*

We ask we be given the same education you white people get. It is our opinion that we should get state education or a public school system. This is another of our treaty promises. I will read the paragraph from the original document, which is 74 years old.

And further, Her Majesty agrees to maintain schools for instruction in such reserves hereby made as her government of her Dominion of Canada may deem advisable when the Indians of that reserve so desire.

Q. What document is that?—A. This is the Northwest Angle Treaty No. 3.

Q. Is that the original treaty?—A. This is a copy of the original which was signed by the then Chief.

Q. You have it there?—A. Yes.

School teachers' salaries should be raised so that good or qualified teachers will be attracted. Modern day schools should be built on at least three reservations that I represent. I have received a lot of complaints against the residential schools but I cannot bring them up without sufficient evidence. I wanted to investigate further but could not find time after I received your invitation.

Since the Lake of the Woods Joint International Water Control Commission came into the picture, the water levels in the Lake of the Woods have caused damage to the wild rice fields by flooding them. The Indians used to make good living on harvesting this rice. If there was rice now, some of the Indians could make a ton of rice, and the price is at least \$1.25 per pound.

### *Medical Care*

There should be a full-time doctor for each agency so that he could give all his time to attend to the Indians. A part-time doctor is just a waste of time and money, although I am not complaining against our doctor, who is a very fine man.

*Islands between Indian Reserve on Dinorwic Lake, Wabigoon reserve No. 27*

This matter should be considered whether these islands belong to the Indian reserve or not.

That is the end of my brief. I do not think that I could add anything more because I am not prepared.

The CHAIRMAN: Thank you very much, Mr. Roy. We appreciate it very much and we will hear from you again a little later, if that is agreeable to you.

Witness retired.

**Chief C. L. Big Canoe, Georgina Island Reserve, called:**

The CHAIRMAN: Gentlemen, before Chief Big Canoe proceeds, I presume it will be necessary for us to meet this evening. To-morrow afternoon we must vacate this room by one o'clock. As you know, the sittings of the committee are usually from eleven o'clock to one o'clock, two hours, and usually there is only one two-hour session in a day. We have extended that to-day. So far we have had two sessions, and if it is your pleasure we will meet again this evening and then sit to-morrow morning, but we will have to be through by one o'clock.

Mr. FARQUHAR: I think we should see how we get along to-night and to-morrow morning before we decide whether or not to sit to-morrow afternoon.

*By the Chairman:*

Q. You are a chief, are you?—A. Yes, I am.

Q. When were you elected?—A. In February of this year.

Q. For what reserve?—A. Lake Simcoe.

Q. How old are you?—A. Forty-three.

Q. Did you go to an Indian school?—A. I went to the school on the reserve and then to a continuation school at Lindsay and got my matriculation at Albert college.

The CHAIRMAN: That is fine.

Mr. FARQUHAR: How many Indians do you represent?

The WITNESS: A hundred and fifty-three.

The CHAIRMAN: Are there any other questions, gentlemen? All right, Chief.

The WITNESS: This brief was addressed to Mr. Lickers, but if it is your wish I will address it to you.

The CHAIRMAN: Fine.

The WITNESS: It reads as follows:

Georgina Island, Ont.

April 28, 1947.

Mr. Chairman and gentlemen: The circular letter sent to us in June, 1946 has been discussed (belatedly) in council and the following comments submitted, in a general way. However, we would appreciate the privilege of sending a delegate or delegates to attend one of the committee's meetings at any time you may deem convenient, so that our economic plans and suggestions for better health, better education, a higher standard of living, etc., as regards our own particular reserve may be more specifically outlined.

We are submitting hereunder comments under the various headings as suggested by your circular.



1. *Treaty rights and obligations.*—We suggest that all treaties be reviewed as to terms and obligations of parties concerned and new interpretations devised to coincide with present-day conditions.

2. *Band membership.*—That band concerned be notified of any applications for membership so that they (the band) too, may have some authority as to who should or should not be admitted.

3. *Liability of Indians to pay taxes.*—That taxes on income or on real and personal property be not at the present time introduced, excepting those recommended by council as bylaws in accordance with the Indian Act.

4. *Enfranchisement of Indians.*—That voluntary enfranchisement be the rule as heretofore, but that band concerned be given some authority in recommending applicant for enfranchisement.

We strongly urge that some provision be included, in any changing of the Act, whereby a newly-admitted member cannot in the course of a short time enfranchise and take out his share of capital funds. To prevent the transaction becoming a "racket" we suggest that one must be a member for a stipulated number of years so that he shall have had time and the privilege of becoming an asset to the reserve which has admitted him.

5. *Eligibility of Indians to vote at dominion elections.*—That the members of our band are eligible to vote because we feel that we have sufficient education and understanding of questions of the day to vote intelligently. We also feel that due to the splendid war record, and sacrifices of our soldiers, and to the fact that we do pay indirect taxes in our daily transactions outside the reserve, we are entitled to a voice in our country's affairs.

6. *The encroachment of white persons on Indian reserves.*—That any encroachment of a demoralizing nature be not tolerated. We have considerable amount of labour on our reserves. On these jobs we ask that only Indian labour be employed wherever such can be handled by Indians.

7. *The operation of Indian day schools.*—That the system of using missionary teachers be abolished. We would like to see our day school system supervised by a school board, as in white communities, so that a properly qualified teacher will always get the appointment. We suggest we elect one member from the reserve to sit in with the school board of one of our adjacent white communities and supervision to issue therefrom. We would appreciate too, some financial aid in advancing some of our children through high or technical school, when certain ones are deserving of such. We cannot urge too strongly the need for better education for the new generation. We believe it is the key to the ultimate solution of the so-called Indian problem.

8. Education will, of course, show its results in the next generation, but for the present generation any ways or means that can be arranged to increase the individual income of our people will automatically raise our standard of living, that is, under proper supervision. To that purpose we submit the following suggestions with regard to our own particular reserve.

(1) The introduction of old age pensions and mothers' allowances.

(2) The construction of two suitable docks, one on our island and one on the mainland. A large part of our reserve is well situated, not far from the mainland for summer cottages. Transportation is our problem. If we had suitable wharves and a government boat, as supplied for some reserves, we believe that we can greatly increase our individual as well as our collective income, when we consider the revenue derived from a summer tourist business.

(3) A telephone connecting the island with the mainland would be a great convenience. It is a necessity at times of the year when we are isolated.



(4) We would like to see a medical dispensary or small hospital built on our reserve. We have a splendid trained nurse, and there are times when one patient in a family needs isolation to prevent the spread of some contagious disease. It would be a place, too, for one during convalescence when one needs nurse's care. It would also be used for the doctor's clinic.

It must be said that it is a credit both to our people and to the people of the white communities round about us that we suffer no race discrimination, except in one or two isolated circumstances. We meet with and discuss news of the day with our white neighbours, it seems, on an equal footing. There are times, however, when we feel a sense of inferiority complex due to the fact that we do not enjoy some of the privileges enjoyed by our white brothers.

In the last two great wars our reserve holds a splendid record of voluntary enlistments per capita and we are proud of the part our men played for the Dominion of Canada.

We greatly appreciate the efforts of the government in appointing a committee to review the position, and to recommend a new deal for the Indian race. We see at last a hope that many of the injustices suffered by our race will be corrected. That equality with other Canadians will become a reality, and that the fight for freedom and justice for which our men so proudly fought will not have been in vain.

This short memorandum has been written by unanimous approval of our council and is respectfully submitted.

(Signed) C. L. BIG CANOE, *Chief*.

(Signed) WELLINGTON CHARLES, *Councillor*.

(Signed) LESLIE McCUE, *Councillor*.

The CHAIRMAN: Thank you very much, chief.

This evening we will hear Mr. Telford Adams, and Chief William Pine of the Garden River reserve. In addition to that this evening we will continue with the questioning of Mr. Reginald Hill and the representatives of the other delegations who have appeared before us to-day. We will adjourn until 8.30 o'clock this evening and sit until 10 o'clock p.m.

The committee adjourned at 6.05 o'clock p.m. to meet again this day at 8.30 p.m.

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The CHAIRMAN: We will now come to order. The next witness is Mr. Telford Adams. Mr. Adams will you come forward? Have you anybody else with you?

Mr. ADAMS: No, I have not.

The CHAIRMAN: All right, will you just come forward.

## 

*By the Chairman:*

Q. You are I believe from the Indian reserve at Sarnia?—A. Yes, sir.

Q. And you are a chief of that reserve?—A. I was a chief until last June when my term expired.

Q. Near the Sarnia reserve there is Walpole Island?—A. Yes.

Q. And then in the other direction there is Muncie and there is Kettle Point, so around you there are four reserves?—A. Kettle Point and Stony Point are one. There were two reserves but there is only one there now.

Q. Now you have a brief to present before us here. Would you like to present that brief now?

Mr. CASE: Mr. Chairman, just before he commences, I would like to ask Mr. Adams on what authority he speaks for the Indians.

The CHAIRMAN: He was appointed.

The WITNESS: I speak because of being a member of the Union of Ontario Indians.

Mr. CASE: A member of the Union of Ontario Indians, thank you.

*By the Chairman:*

Q. Would you like to proceed Mr. Adams?—A. Yes.

Q. You may sit down if you care.—A. Honourable members of the special joint committee of the Senate and the House of Commons. We are exceedingly thankful to the members of this parliament who made it possible for the Indians of Canada to be able to introduce their wishes to the investigating members of parliament. I am sorry that I have not got the brief here that I was supposed to present to the committee but the party who was doing it is sick. He claims it will be ready in a few days and he will send it down for the file.

The Southwestern Indians of Ontario have the honour to present for your earnest consideration the within brief. The subject matter thereof considers Indian administration in general, and in particular the matters specified and numbered one to eight in the Orders of Reference of both the Senate and the House of Commons made on Thursday the 13th day of May, 1946, at Ottawa.

The representations, respectfully submitted of the Southwestern Indians of Ontario are as follows:—

#### 1. *Treaty Rights and Obligations*

It is the wish of the Indians that Treaty rights and obligations be honoured and respected by the Canadian Government.

#### 2. *Band Membership*

Regarding band membership, it is the sincere wish of various bands that the powers of the Department of Indian Affairs in respect to admission and expulsion be abolished, and that the right of membership, both as to admission and expulsion be placed under the jurisdiction of the bands, who are the undersigned owners of the land and money, which the admitted would participate.

#### 3. *Liability of Taxes*

The contention of the Southwestern Ontario Indians regarding income and custom tax is that they should be exempted by virtue of their treaty rights, but if the government has the right to impose taxation on the Indians, then such social benefits that are enjoyed by other than Indians, should be granted to the Indians, such as:

- (1) Old age pensions
- (2) Mothers' allowance
- (3) Home for the aged and blind
- (4) Social welfare

#### 4. *Enfranchisement of Indians*

Regarding enfranchisement, it seems unfair when an Indian becomes enfranchised, he must relinquish his birthright merely for a vote.

We recommend that they retain their birthright, and if any children, they remain as members of that band until they become of age and decide for themselves regarding enfranchisement.

5. *Question of Voting is Undecided*

6. *Encroachment*

Indian reserves were reserved for Indians only, according to our Treaty Rights and such should be respected. There are cases where the Indian agent upholds white people residing on reserves, and carrying on commercial business, which leads to a lot of trouble.

7. *Re Schools*

Answered in (Sec. 9) of Indian Act.

8. *Other Matters Pertaining to Social Welfare of Indians and their Advancement*

We have poor conditions in housing, so we are requesting assistance for the unfortunate. The medical attention and hospitalization is very unsatisfactory. We request a particular attention on Housing and Health, dental examination and care for children, such as vaccination and inoculations.

The health care of the Indians has recently been taken over by the National Department of Health and Welfare, and as it is explained to us by our agent, Mr. McCracken, that since February, a new ruling has been issued by the Health and Welfare department and is very unsatisfactory.

That all existing health facilities be available to the Indians.

9. *Roads*

This year there were \$250 allotted to cover some 13 miles and others than Indian are travelling on this road.

Mr. CASE: What page is that on?

The WITNESS: I just inserted that. Now here is the article that I got from the Kettle Point band of Indians.

1. *Treaty Rights and Obligations*

Have we any treaty rights left, and are there any obligations?

In recent years Mr. Mindy Christianson, Inspector from the Dept. of Indian Affairs Branch at Ottawa stated at Walpole Island Reserve that our old Treaties were not worth the snap of a finger any more. Was he a competent authority on Indian Treaties made by the Crown with the Indians? Perhaps he was, otherwise he wouldn't be hired by the Government to interpret the present day feeling of the Canadian Government's policy towards its native population. Mr. Mindy Christianson also stated that the only Treaties recognized by the Canadian Government were the "Treaties of Surrender."

We the inhabitants of Kettle Point Band of Indians suffered as great a humiliation as any country in Europe which was occupied by the enemy insofar as Sovereign Rights are concerned. We thought that our "treaties of surrender" were still good as stated by the official sent by the Dept. of Indian Affairs to Walpole Island and our Reservation in recent years. When the Dept. of National Defence wanted our former Reservation which was known as Stoney Point for a Military Camp in 1941, they came to us as gentlemen and asked us to vote on the proposition in the good old democratic way by ballot. The majority which was 57 said no, the minority which was 13 said yes. What a relief it was as we felt that our little handful of land some 2,600 acres reserved by our forefathers would remain intact. What a sorry and humiliated group we were to think that our great White father had let us down. They removed the pitiful remnants of our Reservation from Stoney Point Reserve along with their belongings, then the Military Machine moved in.



They claimed that the War Measures Act was invoked against us. No one knows better than us that it was. Canada was at war. We moved with very little resistance yet with broken hearts from the place we knew as home for centuries. Some of the very boys that resided thereon volunteered previously to defend our Country, our little portion of land which we often boasted was our portion of Canada, Stoney Point.

While they yet shouldered arms and fought on the bloody battlefields of Europe for freedom for liberty for the belief that "right makes might" they learned that our little Reservation was lost not to the enemy but to our great White Father.

Two of our lads paid the supreme sacrifice. Again you ask us to-day to ascertain the views of our band of Indians in regard to treaty rights and obligations.

As chief of Kettle Point Band of Indians, my reply to question (1) Treaty Rights and Obligations is this:

We still feel that our treaties are still good as the day they were made. If the word of the Crown has been any good in the past in dealing with other people and other countries, then just as sure as the Government is pulling the wool over our eyes to-day, "I maintain they are still good."

Give me the support of the majority of the Canadian Indians with the finances necessary plus an International Court of Justice and I will prove that the Crown's treaties with the Indians are still good. Sure you know they are good. They have never been abrogated by the Indians in majority. Perhaps portions of certain Reservations have been sold by trickery of shall we say a superior mind, a mind which knows the fundamentals of finance?

We the people of Kettle and Stoney Point Band of Indians demand that our former Reservation which is now Camp Ipperwash be restored to us, pay us the rent which is due to us along with damages for same.

Yours truly,

CHIEF FRANK BRESSETTE

*for Kettle Point Band of Indians.*

I now come to the Walpole Island brief which I will read.

In response to the request of the Joint Committee and having in mind that there are general problems pertaining to all reserves and that to each particular reserve there may be special problems all the members of the band of Chippewas and Pottawatemies on Walpole Island, St. Anne's Island, Bassett's Island and the islands adjacent thereto with rivers, creeks, marshes and low lands surrounding and including our reserve submit:

That this band of Chippewas and Pottawatemies say this reserve in all its boundaries has not been surrendered to the Crown and that therefore there are no crown lands on this reserve. That this band has full confidence in His Majesty, our King and in our government at Ottawa.

*By the Chairman:*

Q. Would you like me to read for a while?—A. Yes.

The CHAIRMAN: That it welcomes the investigation now being held and desires to in our own way present the things that bother us, the things that hold us back, and the things that we think in all fairness are due to us. The Joint committee has, it seems, wide powers. We believe it wants to know what this contry wants to do with us and should do for us. In the opinion of

this band the committee seem to ask us frankly what we think of the present administration of us and our affairs. With great respect to the Crown and government in Ottawa we state our case:

Walpole Island was set aside as a reserve according to treaty 6 dated September 7, 1796.

The treaty surrendering Lambton County was completed on July 10, 1827 by Treaty No. 29 made with the bands of Sarnia Reserve, Kettle Point and Walpole Island reserve. This surrender did not include Walpole Island and it was not then nor has it since been surrendered to His Majesty Our King nor to our government of Canada. This band has never received any payment or token from the Crown for the surrender to the Crown of its original ownership or control of these lands as provided in the treaties.

We do not consider this as in any way that our government has broken faith with us. . . but we consider it important as affecting our own relationship on this reserve, and our dealings with other people, and the welfare of the members of our own band.

In 1882 our people consented to the lease of St. Anne's Island. . . The Indian dept. called it a surrender of all our rights on this island. . . A lease was drawn up and we were given \$750 a year. . . the lessees had a ten year lease and they still have that lease. . . Our chief and council have never been consulted about any terms of renewal. Each renewal has been more harmful to us and more beneficial to these people who call themselves the St. Anne's shooting club. Every condition of this original lease has been broken. Each additional lease has taken from us more of our rights. The department has engaged to deal with this part of our reserve as if we had no ownership. . . and with or without their consent the lessee or someone under them has used the territory covered by the lease for the purpose of commercial fishing and has received many thousands of dollars for fish sold illegally and contrary to the provisions of our original lease. The members of our band were entitled under the terms of the original lease to fish, hunt and trap on the territory included in the lease. This right has been denied to them and in later renewals the Department has forgotten those terms and helped the lessee rather than us.

Mr. Edward Pinnance a member of our band was charged by this club with trespassing and shooting on the St. Anne's lease held territory and only after great expense was he able to prove that he was not shooting on lease held land. . . whereas by terms of original lease every band member had that right.

We ask that all leases held for this reserve be cancelled and all future leases be for four years only and that no renewals be given by the department without the consent in general council of the band. We ask that compensation be given to this band for the improvident renewals of leases given without our consent. We ask for a survey of our entire reserve and request that Orville Rolfson, Dominion Land Surveyor and Ontario Land Surveyor be directed to do this because Mr. Rolfson in connection with the aforementioned case of Edward Pinnance spent some time on the reserve and obtained the statements of many of our old and chief men which statements would greatly assist in determining the bounds of our reserve. We ask a complete revision of the Indian Act. We also ask that when our band agree to giving a lease their rights be safeguarded. We ask that granting a lease for ten years or any term of years be not construed as meaning that the Indian department can continue renewing this lease for fifty years at the same rental. . . and upon each renewal, changing the original terms. We ask a more democratic allowance in handling our own affairs and the things done by chief and council be not subject to revision, rejection or recommendation of the Indian agent. We ask why having made treaties as men with our rulers now dead and with past governments. . . we are now regarded as wards. . . Did these treaties make us wards, and irresponsible persons and if so why in time of war are



we British subjects? Why when we wear a uniform can we be permitted to drink whiteman's ale and when war in over and uniforms off are we Indians and children of the government? It seems to us that the British ambassadors who negotiated the treaties with our people and paid us in the way set out in the treaty... then decided to eliminate us as a race. Would it be too much to ask that we be allowed to live and for that purpose to have

(a) An equitable and just Act governing our affairs and our relations within ourselves and towards other citizens of Canada.

(b) Government aid in establishing fishing, trapping, farming industry within the limits of our reservation. More liberal education and some assistance so that our own people can become competent in the things which will promote comfort and well being in developing our own natural resources on this reserve.

(c) To that end we ask some limitation be put upon provincial privileges so that persons having a licence to hunt or fish from the province of Ontario may not be permitted to hunt and fish upon our reserve as our department has stated certain waters entirely within our reserves are called navigable waters.

(d) When in 1882 our fathers voted for the St. Anne's lease we submit they had no intention of forever surrendering their and our rights... as this document shows only a ten-year lease. We wish a just and equitable interpretation be put upon these Acts. It is submitted that his reserve being near the international border cannot be governed by the terms of the present Act. We request financial help, care and hospitalization for the members of our band so as to give them the equivalent of all social legislation. The members of our band in general council have answered the questions contained in the letter of instructions in this way

2. Band membership should be in the sole control of this band and council.

3. Taxes—no.

4. Enfranchisement—Voluntary.

5. Voting rights—no.

The band has added the following covenants as a result of the general council meeting.

As we pay taxes indirectly on all community purchases we feel we should be granted old age pensions.

We feel for the benefit of our children that a larger central school should be built on the reserve and transportation provided. We feel with a population of over nine hundred a resident nurse should be employed by the department. The following treaties have relation to this and adjoining reserves—

Moore Township .....	Page 128 Vol I
Islands .....	Page 278 Vol I
4,000 Acres .....	Page 221 Vol II
Upper Canada .....	Page 19 Vol I
Canadian Club .....	Page 7 Vol II
Wallaceburg .....	2 acres of land on mainland
Jays Treaty .....	Page 880 (No 21)
Treaty of Peace .....	Book No. 9 Page 428

The CHAIRMAN: Would you like to read the next page?

The WITNESS: Yes.

### *Capital and interest funds*

We are thankful to the government for the five per cent interest we are receiving on our capital funds, but we request that we be given the right to spend our interest money, where we consider it a credit to any individual or band.



*River frontage*

At a band meeting a resolution was passed that individual band members be permitted to purchase river frontage to beautify and build breakwaters to keep our banks from washing away. This resolution was turned down by the Indian department, the results being that the banks of our valuable land are now washing away, so we request the right for individuals, members of the band to purchase the river frontage.

Matters specified and numbered one to eight, in the orders of reference of both the Senate and the House of Commons made on Thursday, 13th day of May A.D. 1946 at Ottawa.

A question was, do your band wish to pay delegates' expenses?

On August 9th 1946, Sarnia Band held a meeting to consider and answer the above mentioned, therefore it was moved by James B. Williams, seconded by Lloyd Williams that this band of Sarnia reserve pay expense of the delegate out of band funds for the purpose of attending the meeting at Ottawa; also moved by Leonard Plain and seconded by Lloyd Williams that the band set aside the sum of one hundred and fifty dollars (\$150.) from band funds to pay delegates' expenses. Carried unanimously.

## INDIAN ACT

Section 4 Part 1—to be abolished.

Reason—Indians being deprived of their rights.

Section 9—Part 1—(a), (b), 2, 3, 4, 5, & 6 unsatisfactory.

Education of Indians at present is the sole responsibility of the federal government; education, health, and welfare have been in the hands of the Indian department at Ottawa.

(a) It is our contention that the results of this policy has been that the Indian population of southwestern Ontario has received a far lower standard of education, health, and welfare service, than the other citizens of southwestern Ontario, and that much of the deplorable conditions under which the Indians are living to-day can be traced to these low standards.

(b) Greater facilities and opportunity for education opportunity to obtain high school, and university education should be available more generally for the Indian youth.

(c) Since the present school system has been a failure, we recommend that education of Indians be committed to regional boards, upon which Indians in the district shall be represented by Indians.

(d) That the responsibility of administering the education for the southwestern Ontario Indians be placed in the hands of the provincial government, and that the dominion reimburse the provincial government for all expenses incurred in the provision of an educational standard, which shall be equal to that of the other citizens of southwestern Ontario.

Section 13—regarding loss of membership through residing in a foreign country without leave.

We recommend the jurisdiction be left entirely to the band, chief and council.

Section 48—(2), (3) and (4).

We oppose to this section by virtue of our treaty rights, where large territories have been surrendered and the small portions of lands which we now possess or was reserved according to our treaty rights, for our own exclusive right and enjoyment, and our posterity. We wish this section to be abolished.

## Section 50 (S.S. 2) (A-B).

Lease and licenses to prospect for minerals, which reads that the Governor in Council may make regulations enabling the Superintendent General in respect of any reserve, (a) & (b) as follows:

We recommend the band, chief and council be given the authority to lease property for minerals, providing the band, chief, and council consider necessary.

## Section 52—S.S. 2, 3, 4, 5, 6, 7, 8.

## Expropriation Act.

Inquiry and report by Exchequer Court as to removal of Indians.

For years back, the southwestern Ontario Indians have appealed to the Department of Indian Affairs to abolish section 52. We request the honourable members of this joint committee to recommend at once this section 52 be abolished. We regret very much to acknowledge that such law as section 52 was issued to be applied to the natives of this country, more so after the natives surrendered large territories and reserved small portions of land for their own exclusive use and enjoyment, and their posterity, as the government agreed to by treaty, and a pity for the Indians to realize that there are laws made whereby the Indian is deprived of his birthright, so we feel we are justified in requesting the members of the joint committee to recommend this section 52 be abolished.

## Section 91—Reduction of purchase money due on sale of Indian lands.

We consider this section unjust, unfair, to the Indians to have his bargaining price cut down to suit the purchaser, we recommend this section be abolished.

## Section 93.

We request this section be abolished reason being we are the undersigned owners of land and money referred to in this section, so we therefore request to govern the lands and money referred to in this section.

## Section 99 (A).

Duties of agent at meetings of council rather than the Indian agent having full control of council meeting, as at times the agents do not recommend resolutions passed by chief and council, yet these resolutions passed are a credit to an individual or band, so we request that the chief and council have full control of meetings and send resolutions direct to the Indian department.

## Regarding the revision of Indian Act.

The Maoris of New Zealand are generally spoken of by Indians throughout Canada. It is wondered why the same laws can't be made for the Indians of Canada.

We feel justified to recommend there be Indian representation to assist in revision of the Indian Act, and also legal counsel be employed as well to represent the Indians.

The CHAIRMAN: Do you want me to read the next section?

The WITNESS: Yes.

The CHAIRMAN:

Re—Surrender to the Dominion Alloy Steel Co. by the Sarnia Band of Indians on December 13, 1919.

I will read in full, if requested by the honorable members of this committee, but I wish to call your attention to a particular portion of the agreement which reads as follows:

The company agreed to move our public buildings, or put up ones as good on a site selected by the band.

Here I am explaining the situation eleven years after, some of the Indians patience got exhausted on account of the company not fulfilling their agreement, so some Indians approached the company officials stating they would move the

church for a certain sum of money (\$1,000) which the company agreed to. A resolution passed to the Indian department by a small number of Indians requesting the same be approved, followed by other resolutions, which was finally approved by the department, yet contrary to the original agreement, and the Indian Act which calls for majority before approved. Up to date we have no church, as we were requested to tear it down by the company. Finally there was a resolution passed voting the sum of \$20,000 from our band funds to build a church, majority not present, so a petition was passed around receiving 56 names in favour, followed by a protest petition which the Indian department favored. I wish to refer you to section 93 of the Indian Act, which reads in portion—

The Governor in Council may direct the expenditure of any capital money standing at the credit of such band in the construction of permanent improvements upon the reserve.

(S.S.) 2—In the event of the band refusing to consent to the expenditure of such capital moneys as the superintendent general minister may consider advisable for any of the purposes mentioned in S.S. (1) of this section and it appearing to the superintendent general minister that such refusal is detrimental to the progress or welfare of the band, the Governor in Council may without the consent of the band, authorize and direct the expenditure of such capital for such of the said purposes, as may be considered reasonable and proper.

I estimate there wouldn't be a more permanent improvement than a church in any community.

#### Re Agreement—Alloy Steel Co. regarding Council House

A special meeting was held at the Indian office, with the Indian agent, Mr. McCracken present and Chief T. Adams, and councillors, Russell Bird, Jas. B. Williams, and a committee Clarence Plain and Kenneth Plain present.

The purpose of the meeting was to discuss the moving of the Council House. Mr. B. H. McCreath on behalf of the Dominion Steel Co. was present at the meeting.

The deadline for the removal of the Council House be Sept. 1st 1945, that the entire balance owing for all lands which was surrendered by the Indian Band, be paid by February 15, 1945.

One hundred and fifteen acres of land including at least 1200 feet of river frontage and including land in which Dominion Alloy Steel buildings and equipment are situated shall be held by the Department as a guarantee that the Council House will be built by Sept. 1st 1945, and that if the said Council House is not completed by that time on the new site, the above mentioned property, namely 115 acres, plus the Alloy Steel Buildings shall be returned to the Indian band and shall be their property.

The Dominion Steel Corp. agree that any alterations in the plan of the new Council House will be made at the request of the band, also that the Alloy Steel Co. comply with the terms of the original surrender dated Dec. 10, 1919, that the Alloy Steel Co. pay \$500.00 to the band to be used in rebuilding the Fair Grounds. Carried.

At a band meeting held April 11th 1947, a resolution passed that the Sarnia band of Indians foreclose on Mr. McCreath who represented the Dominion Alloy Steel Corporation, failing to fulfil the agreement of Dec. 13, 1944.

Carried unanimously. After the Indian department refused to foreclose on the company this same property which was given to us for security was sold for \$232,500, we consider we are justified in getting an explanation on this.

After this property was sold the Indian department ordered the company to complete the Council House within 60 days, if not completed in the specified time they would be penalized \$100. per day.



The Council House was not completed within the specified time, Inspector Arneil okayed the hall so the company wouldn't be penalized. The Sarnia band had to wait 28 years to have the Council House completed.

Does that complete your presentation?

The WITNESS: Yes.

The CHAIRMAN: Thank you very much, Mr. Adams, you will be here for questioning a little later. I am sure many of the members of the committee desire to ask you questions.

Mr. LICKERS: I should like to point out that, at the beginning of his presentation, Mr. Adams said he had another presentation to make which will be following later. At that time, I suppose he could make it an appendix to the minutes.

The CHAIRMAN: Have you another presentation you desire to make now?

The WITNESS: No, I have not.

The CHAIRMAN: You have one coming?

The WITNESS: I have one coming, but I will probably have an opportunity of telling you about it to-morrow.

The CHAIRMAN: Yes.

Mr. LICKERS: I have a brief here from the Grand Indian Council of Walpole Island signed by H. B. Williams and Wallace Soney which I should like to file as appendix FJ.

The CHAIRMAN: Is it agreeable to the committee that this brief be filed and made a part of our record?

Mr. CASE: Agreed.

Mr. REID: How many more witnesses are to be heard? Will we have some time left to-morrow to question those who have spoken?

The CHAIRMAN: Yes, it is proposed to have a question period not only to-morrow, but this evening. We have to be out of here by one o'clock to-morrow. We have one or two more of whom I know who have presentations, and there may be others. Then, we will proceed with the questioning immediately. Is that agreeable?

Mr. CASE: You are going to try to have all the briefs presented to-night?

The CHAIRMAN: Yes. Chief William Pine of the Garden River Reserve? Is there anyone here from the Garden River Reserve?

Mr. BRYCE: Was he here to-day?

The CHAIRMAN: Yes, he has been here to-day. I spoke to him. Our counsel tells me he checked in at the hotel this morning.

Mr. CASE: Have we anyone else from whom we can hear?

The CHAIRMAN: Yes, William Smith is here. Before Mr. Smith commences his presentation, is there anyone else amongst the Indian delegation present who desires to present a brief? If there is no one else who desires to present a brief to the committee then, after Mr. Smith has completed his presentation, we will proceed with the questioning of the witnesses.

**William Smith, representing the Hereditary Council,  
Six Nations, called:**

*By the Chairman:*

Q. Who are you representing?—A. The Hereditary Council of the Six Nations.

Q. Mr. Sam Lickers, whom does he represent?—A. He was spokesman for the organization called the Red Men.

Q. You have a brief, have you?—A. Not for presentation. We will have it ready in the near future.

Q. You just want to make a few remarks?—A. Yes.

Q. Roughly how long will it take you?—A. I would have liked to have an hour, but perhaps I can condense it into half of that time.

Q. We have to be through here to-night by ten o'clock. It is now a quarter after nine and we have all these witnesses to question. Would it be convenient, as I suggested to you before dinner, if you let our counsel ask a few questions, then you could answer them. You see, if it is going to take you as you say, half an hour or at least an hour, it would use up all our time?—A. Perhaps, Mr. Chairman, the questions would not coincide with what I desire to say.

Mr. BRYCE: I think he asked for half an hour and he said he could cut it down.

Mr. BLACKMORE: I think we should let him make his remarks.

The CHAIRMAN: You gentlemen know what you are doing. We have to be out of here to-morrow by one o'clock and, therefore, you know the amount of time we have left. If we have not enough time, it will be your responsibility.

Mr. CASE: It seems to me the examination of witnesses is secondary. We want to hear the Indian's side of the story. If we have not time to complete our examination, then it is too bad for us. What position do you occupy in connection with the Hereditary Chiefs?

The WITNESS: Assistant secretary.

*By Mr. Case:*

Q. Then, it is an organization, is it?—A. It is the legal government of the Six Nations.

Q. It is so designated by the reserve? What authority do they have for calling themselves that?—A. I should like to explain that in my talk, but I may say this: they are the descendants of the Confederate Council which originated in the state of New York about four centuries ago.

The CHAIRMAN: All right, proceed, Mr. Smith.

The WITNESS: Mr. Chairman and members of the committee; I wish to express my pleasure in having the opportunity of saying a few words here. I had the intention of covering a good deal of ground in the Six Nations history, but I will try to condense what I had to say within the short period of half an hour.

The Six Nations Confederacy was the outcome of a welding into one confederacy of these different war-like nations—Mohawks, Oneidas, Onondagas, Tuscaroras, Cayugas, Senecas and Delawares. This confederacy, created long before the white man arrived in this country, was one of the noblest organizations the world has ever seen. There are several things that I would like to go into more fully, but I will stress one main point: they were chiefs from the different nations who created this confederacy, and in the creation of these chiefdoms the women held the power to have the final say as to who was to be chief. That was a noble rule, and I do not think that this world will ever really see peace until we follow the principles of this Iroquois confederacy.

At the outset I would like to go into some of the evidence that was presented to the committee a year ago by the officials of the Indian department. First, I will start with the title to the soil. Now, I shall quote some extracts from the evidence presented by Mr. MacInnes, of the Indian department. He read into



the record the proclamation of 1763. What I shall read will be found at page 54 of the minutes of evidence of the committee, No. 2, 1946. I shall read this statement:—

So, what has been recognized as Indian aboriginal interests in the soil is not ownership of the land in its entirety but usufructuary and roving rights over it.

He also wrote into the record the proclamation of 1763. I think you gentlemen are well enough versed in law to realize that a proclamation issued by a sovereign can only have authority within the confines of the dominions of that sovereign and covers only the people who are subjects of that sovereign. The Six Nations being an independent people on their own land owned the title to the soil, the fee simple or allodial title, which is actually higher than the fee simple to the soil. There was an explanation that this had a tendency to make the Indians subjects of Great Britain. The Six Nations refute that argument strongly. Possession rests with the first occupant. Grotius asserts that corporeal possession entails title; Vattel tells us that possession rests with the first occupant; Puffendorf states that title rests in him first to occupy, not first to see it. Blackstone, the British authority on international law, explains that allodial title is higher than fee simple and it is that which a man owns in his own right without owing any rent or service for it, wholly independent being held to no superior at all. So I would like to make it clear that the Indians were owners of the land and they held the fee simple and allodial title. That is important because all Indian treaties are based on the principles of 1763.

Now, the Six Nations Confederacy became involved in the wars between the different contestants in early colonial days. First there was difficulty with the Dutch, later with the French and still later with Great Britain and the revolting colonies. As a result of the Six Nations allying themselves with the British in the American revolution they migrated to lands on the Grand river under the Haldimand Treaty. This was in fulfilment of Sir Guy Carleton's pledge. Under the establishment of the Six Nations along the Grand river on lands allotted to them under the Haldimand Treaty which was a direct cession from the Crown, the Crown at that time attempted to make replacement with a simple deed. The Six Nations under the leadership of Captain Joseph Brant refused to accept the exchange and refused to confirm the Simcoe deed. The Simcoe deed was made in 1793. As a result of that the Haldimand deed was registered in 1795.

Now, the basis of all the land deals between the Six Nations and outsiders had been based on the Simcoe deed. The basis of the Indian Act is laid on the Simcoe deed, followed up by the British North America Act. In 1867 there was, through the joining of the four provinces here, the Union of Canada. Under the British North America Act Queen Victoria through Her Majesty's government transferred to the Canadian government authority to legislate for Indians. The Imperial government at that time exercised no authority over the Six Nations. Therefore it was impossible to transfer to another party obligations which they never had. Only last August the Imperial government in preparing a memorandum on India dealing with paramountcy there made this startling declaration, that it is impossible to transfer treaty obligations to a third party without the full consent and knowledge of the second party. Now, that is the position of the Six Nations. They had no knowledge and never consented to this transfer. Shortly after confederation there was a bill passed in the House of Commons called the Indian Act. I believe at the beginning this Act contained only eight sections. The eight sections did not harm the Indians very much, but it was the amendments and additions and other later introductions that became harmful to the Six Nations and other Indians in Canada. The Six



Nations withdrew from the conference at Sarnia in 1871 when the government called the Indian conference for the adoption of the Indian Act. Consequently they never became a party which gave their approval to this law.

Then later on, in 1924 the Canadian government, with the use of force of arms, dissolved the Six Nation government. That was one of the blackest acts in Canadian history. That was a type of government foreign to us, which was called the elective council. Our people have never supported this change and I do not think they ever will. And now, when coming down to this present committee and the dissolution of the chiefs and the appointment of the elective council I have to say this. It was the result of an investigation by the Canadian government through Colonel Andrew Thompson, and his report to the government. He was authorized to inquire and investigate into the affairs of the Six Nations Indians, including matters of education, health, morality, election of chiefs, powers assumed by the council. Administration, and soldier settlement were also included.

*By the Chairman:*

Q. What are you reading from now?—A. Colonel Thompson's report on the investigation of the Six Nations.

Q. What is the date of that?—A. 1923.

Q. Does it state the department who issued it, so that we can have it for record purposes?—A. It was issued by the Department of Indian Affairs.

Q. All right.—A. He was authorized to investigate the Six Nations on seven points but the most important point was omitted, that is the status of the Six Nations, who they are and what they are. He had no authority to investigate the most important point and he makes this remark on page 13.

For some considerable time past there has been strong agitation to have the Six Nations constituted as a separate sovereign people. Those supporting this course allege that in the wording of several earlier treaties the Six Nations are not subjects but are allies of the British Crown. The investigation of the merits of this condition was not one of the duties assumed by me and I merely mention it in connection with the powers assumed by the council.

As the result of this investigation with limited powers we had a change in government of our people without the consent or the feeling of the people. Now the Six Nation Indians, as I have said, have refused and have always maintained that they never legally came under the Indian Act. And I further cannot say whether they will accept the revision of the Indian Act. You will ask me why, gentlemen. Let me put it this way. Supposing we were allowed to appoint thirty or thirty-five Indians to a committee, would any of you gentlemen be willing to place the future destiny of your people in the hands of a committee of thirty Indians? Now I have tried to make clear the position of the Six Nations. I think what I have said here speaks for itself. I have many other articles here of how the Six Nations have been used. Take for instance, the national registration. These are the instructions issued by the national registration department, issued to all deputy registrars.

Mr. CASE: What is the date of that?

The WITNESS: 1940, the 15th of July.

*By the Chairman:*

Q. What document is it again?—A. Pardon?

Q. What document is it?—A. Instructions issued to deputy national registrars.

Q. Under what act?

Mr. CASE: I suppose it is under the National Registration Act.

The WITNESS: Yes. On page 7 it has this to say. "Registration officers will abstain from attempting to advise or settle whether registrants are or are not British subjects. The registrant must decide that question for himself". No Indian had that privilege under this national registration. They were forcibly registered as British subjects. Now I hate to take up your time in other small matters but I would like to bring to the attention of this committee one other glaring instance. I have here a summons issued to one Raymond Leslie Johnson.

Mr. CASE: Is he an Indian?

The WITNESS: Yes, a Six Nations Indian from Six Nations' territory. It is dated February 8, 1947. This young man of about thirty years of age has worked out for several years and saved his money. He came back home to a deserted and dilapidated farm and tried to build it up. He built a tremendous new barn about the size of this hall. He bought a tractor and implements and began to farm. This winter, desiring to erect another building, he got some logs off the territory and took them up to a sawmill with the intention of bringing back the lumber to erect this building. The Mounted Police in consultation with the Indian superintendent issued this summons. As a result of that he was fined \$100 and costs, a total of \$155. This man had done more to improve our Indian reservation than our Indian agent and all the Mounted Police put together, yet he was fined on the Indian reserve. He was, of course, brought under the Indian Act.

Mr. MACNICOL: In what way?

The WITNESS: He drew logs off the reserve to a sawmill in order to bring them back as lumber.

*By Mr. Little:*

Q. Had he the right to take the logs in the first place?—A. He was not selling them.

Q. Had he the right to take them in the first place?—A. Not according to the Indian Act.

A short time ago this House was very magnanimous to a British war-bride who was fined \$25 under the Indian Act. That fine was reduced to \$1. Gentlemen, this is a much more worthy cause than the second one that I have cited.

I would have liked to take more of your time, gentlemen, but I said I would try to be through in half an hour. I would have liked to have gone into more of what the Indian department officials have said and it is my desire to change our brief and add a lot more to what I had intended to say. In the near future we will make a presentation of the brief.

The CHAIRMAN: Thank you very much Mr. Smith, I appreciate the effort you have made.

Now, is Chief William Pine here? Chief William Pine not being here, then I presume we will proceed with the questioning of the witnesses. Is it your wish, gentlemen, to take them in the order that they have been heard? Is that agreeable?

Agreed.

Mr. Reginald Hill, would you come forward please.

Mr. REGINALD HILL: If it is in order I should also like to have the questions put to the other delegates who have come with me.

The CHAIRMAN: I was going to suggest that you and your delegates go to the centre table and be seated there. The reason for that is we want everybody to hear, and especially the official reporter. Shall we limit the time of the members in asking these questions? Is it agreeable to say ten minutes? We only have twenty minutes left.

Mr. BLACKMORE: Would it be in order to suggest Mr. Lickers ask questions first?

The CHAIRMAN: I think probably we will let Mr. Lickers have the rest of the time. We have twenty minutes. To-morrow morning the members can continue.

Mr. CASE: He is familiar with them. Let him proceed.

The CHAIRMAN: Mr. Lickers, would you carry on?

Mr. LICKERS: How many schools have you on the Six Nations reserve?

Mr. JOSEPH HILL: There are eleven schools with sixteen rooms.

Mr. LICKERS: How many pupils are attending those schools?

Mr. JOSEPH HILL: For the last quarter there were 679.

Mr. LICKERS: And how many pupils are there to each teacher?

Mr. JOSEPH HILL: There is an average of 43.

Mr. LICKERS: Do you think that is an adequate staff?

Mr. JOSEPH HILL: By no means.

Mr. LICKERS: How many more schools do you require?

Mr. JOSEPH HILL: Offhand I would say two or three.

The CHAIRMAN: How many classes are there under each of these teachers?

Mr. LICKERS: Are all these just single-room schools?

Mr. JOSEPH HILL: No, there are at present four two-room schools.

Mr. LICKERS: So that you actually have sixteen classrooms?

Mr. JOSEPH HILL: Yes, sir.

Mr. LICKERS: And what about the teachers? Are they all qualified?

Mr. JOSEPH HILL: We have fourteen qualified teachers. Two are qualified in the sense that they have the academic standing.

Mr. LICKERS: They are qualified but not certified? Can we put it that way?

Mr. JOSEPH HILL: Correct.

Mr. LICKERS: Are they Indians?

Mr. JOSEPH HILL: All of them.

Mr. LICKERS: How long has the teacher with the longest service been teaching there?

Mr. JOSEPH HILL: I would say to the best of my knowledge this is her thirty-eighth year.

Mr. LICKERS: Is there any antagonism on the part of the residents or parents to their children being taught by Indian teachers?

Mr. JOSEPH HILL: No, sir.

Mr. LICKERS: Do they have any school boards?

Mr. JOSEPH HILL: No, sir.

Mr. LICKERS: What jurisdiction has the council over the operation of these schools?

Mr. JOSEPH HILL: None.

Mr. LICKERS: Do they contribute towards the support or expenses of the operation of those schools?

Mr. JOSEPH HILL: No. Prior to 19—

The CHAIRMAN: You can answer if you like Mr. Reginald Hill.

Mr. LICKERS: Whoever has the information.

Mr. REGINALD HILL: Prior to 1927 until the matter was brought up here in parliament by Mr. Franklin Smoke, M.P., I think the expenses were borne



entirely by the Six Nations and to the best of my knowledge they built the existing schools. Since that time I believe the department has taken over the operation and the upkeep.

Mr. LICKERS: Those are all day schools, are they?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Can you break down the number of pupils in each grade?

Mr. JOSEPH HILL: Yes, I have that information.

Mr. LICKERS: Would you mind giving it to us?

Mr. JOSEPH HILL: In grade I, there are 135; grade II, 131; grade III, 71; grade IV, 94; grade V, 84.

Mr. MACNICOL: How many?

Mr. JOSEPH HILL: 84; grade VI, 57; grade VII, 51; grade VIII, 52, and there are 4 in grade IX.

Mr. LICKERS: Is grade IX being taught in any of the schools?

Mr. JOSEPH HILL: These four pupils are attending to more or less keep up in their work that they may go on next year. They were financially unable to attend this year.

Mr. LICKERS: You say they were financially unable to attend?

Mr. JOSEPH HILL: That was the excuse the parents gave me.

Mr. LICKERS: Grade IX is the first year collegiate, is it not?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Can you give me any figures as to the numbers of graduates who graduated last year from grade VIII?

Mr. JOSEPH HILL: I cannot answer that right now.

Mr. LICKERS: Do you know how many pupils from the reservation are attending collegiate or some secondary school?

Mr. JOSEPH HILL: Yes. At present there are 43 receiving a grant from the federal government. Then there are several for whom the council is paying the tuition. Then there are a few for whom the parents are paying, plus those in the United States of whom we have no record.

Mr. MACNICOL: You say "plus those in the United States". What do you mean by that?

Mr. JOSEPH HILL: There are a great many of our people living in Buffalo, Niagara Falls and Rochester, who are going on with their education.

Mr. LICKERS: All those you mentioned were on the reservation?

Mr. JOSEPH HILL: In the three high schools surrounding the reservation, the Brantford collegiate, Caledonia high school and Hagersville high school.

Mr. REGINALD HILL: The numbers that were just quoted represent the pupils in attendance at the day schools on the reservation. The breakdown showing the different grades represents the pupils in attendance at our own Six Nations schools.

Mr. LICKERS: And can you give the committee any idea as to how the pupils after they attend secondary school compare with the whites?

Mr. JOSEPH HILL: In what way?

Mr. LICKERS: As far as their academic standing.

Mr. JOSEPH HILL: They compare very favourably.

Mr. LICKERS: Do all the graduates from public school have the opportunity to continue on to secondary education?

Mr. JOSEPH HILL: Not all.

Mr. LICKERS: Why would some of them not have that opportunity?

Mr. JOSEPH HILL: Those attending high school now receive a grant on the approval of the provincial inspector.

Mr. LICKERS: Are all your schools down there inspected by the provincial school inspector?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: What curriculum do you use?

Mr. JOSEPH HILL: We follow the Ontario curriculum.

Mr. LICKERS: Is that working out satisfactorily?

Mr. JOSEPH HILL: Quite satisfactorily.

Mr. LICKERS: What about handicrafts and things like that being taught in the schools?

Mr. JOSEPH HILL: There are a few schools which carry on work of that kind where the teacher is particularly interested.

Mr. LICKERS: Is that a part of the curriculum of the schools?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: It is part of the curriculum?

Mr. JOSEPH HILL: Well, our curriculum is very broad and they may include anything of that nature.

Mr. LICKERS: You are the supervising principal on the reserve?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Is there anything in connection with the curriculum you would suggest should be approved?

Mr. JOSEPH HILL: Yes. The history books; there also might be an improvement in English literature.

Mr. LICKERS: In what way?

Mr. JOSEPH HILL: I believe that our pupils are more interested in stories of Indian lore and the accomplishments of Indians in years gone by.

Mr. LICKERS: Are these schools non-denominational?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Have you knowledge of the results from any of the residential schools in the neighbourhood?

Mr. JOSEPH HILL: No, I haven't that information.

Mr. LICKERS: Are there any others of the delegation who have any knowledge as to the residential schools?

Mr. REGINALD HILL: I take it that the information that you are requesting is as to the number attending, the number graduating and the per cent of efficiency?

Mr. LICKERS: Is there a number of children who are attending the residential school on that reserve?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: What residential school is it?

Mr. REGINALD HILL: The Mohawk Institute.

Mr. LICKERS: Do you know what the enrolment there is?

Mr. JOSEPH HILL: Offhand, I would say between 150 and 160.

Mr. LICKERS: There is provision in the Indian Act for the Council to inspect residential schools. Perhaps Chief Councillor Maracle can give me this information; have council ever inspected the residential school in Brantford, the Mohawk Institute?

Mr. MARACLE: They have in previous years.

Mr. LICKERS: They have not recently?

Mr. MARACLE: No, they have not recently.

Mr. LICKERS: Then you do not know what the relationship as to the academic results of a child going to the public school on the reserve is as compared to one attending a residential school?

Mr. JOSEPH HILL: No, we do not.

Mr. LICKERS: Can anybody get me some information on that from their own knowledge? You see, there has been evidence given here as to the merits and demerits of a residential school as compared to public schools.

Mr. JOSEPH HILL: They attend the residential school for only half a day at a time and that means that they are about eighteen or nineteen before they pass into high school. They should be through high school before that time.

Mr. LICKERS: I think, Mr. Hilton Hill, that you were the clerk at the Indian office in Brantford, how long?

Mr. HILTON HILL: For forty years.

Mr. LICKERS: When did you retire?

Mr. HILTON HILL: It will be two years this coming January.

Mr. LICKERS: Would not the applications for grants come through the Indian office there as to grants for pupils both in public school and in residential school?

Mr. HILTON HILL: Yes.

Mr. LICKERS: Did you at any time see those?

Mr. HILTON HILL: Oh, yes.

Mr. LICKERS: Perhaps when you can give us some information as to the results of the pupils attending the day schools as compared to those attending residential schools?

Mr. HILTON HILL: As far as I know there is none going to high school.

Mr. LICKERS: I mean, after graduating from the residential school.

Mr. HILTON HILL: I do not think it is allowed for them to stay at the Mohawk Institute to go to high school.

Mr. LICKERS: How do the children on the reserve get to school?

Mr. JOSEPH HILL: They walk.

Mr. LICKERS: Do you think that is a satisfactory method of going to where the schools are situated?

Mr. JOSEPH HILL: Are you referring to day schools or high schools?

Mr. LICKERS: To day schools.

Mr. JOSEPH HILL: They walk, or go on bicycles.

Mr. LICKERS: How far are these schools apart?

Mr. HILTON HILL: Brantford is about ten miles from the centre of the reserve.

Mr. LICKERS: I am asking about the reserve itself.

Mr. JOSEPH HILL: The schools average two concessions apart.

Mr. MACNICOL: That would be two miles or two miles and a half.

Mr. JOSEPH HILL: The concessions are a mile and a quarter to a mile and a half.

The CHAIRMAN: That would mean no child would have to walk more than a mile and a half to get to school.

Mr. MACNICOL: School children are doing that all over the province.

Mr. REGINALD HILL: Taking it diagonally across to the school it may be much further.



The CHAIRMAN: If there are two schools, one school on one concession and the other two concessions further over that would mean that they would have two and a half miles to walk.

Mr. REGINALD HILL: Speaking now particularly of No. 10 school, of which I am the teacher; I do know that pupils definitely do cut across the reserve to the school, there being no school north of No. 10 school; No. 10 school being one concession in from the northern limit.

The CHAIRMAN: What I am talking about is as the crow flies.

Mr. CHARLTON: That would be?

Mr. REGINALD HILL: Two and a half to two and three-quarter miles at certain points. Two and three-quarter miles would be a maximum distance.

Mr. LICKERS: On page 3 of your brief, under education, 4(b), you say:—

(b) A salary scale be set up with provision for a minimum and maximum salary.

Have you seen this scale which the department has set up which it proposes to put into effect as of September first of this year?

Mr. JOSEPH HILL: I have.

Mr. LICKERS: Is that a satisfactory schedule in your estimation; or, does it compare favourably with, say, the salary scale of Brant county?

Mr. JOSEPH HILL: It does not compare favourably with what is paid in that county. I understood it did.

Mr. LICKERS: Is it lower, or higher?

Mr. JOSEPH HILL: The schedule is lower than that of Brant County.

Mr. LICKERS: Are any of the teachers on the reserve civil servants at the present time?

Mr. JOSEPH HILL: None.

Mr. LICKERS: Then, under the heading education 4 (d) you say this:

"That required standings be reduced."

What do you mean by that, what standings?

Mr. JOSEPH HILL: Up until a few years ago the pupils were required to make an average of 65 per cent on their entrance examination before they were eligible for the grant. In recent years the authorities have been more lenient, and the pupils have been able to qualify on the recommendation of the provincial inspector. What we desire is that all children, so long as they pass, be allowed to go to high school.

Mr. LICKERS: You mean by, "being allowed to go", being assisted financially by the department?

Mr. JOSEPH HILL: That is right.

Mr. LICKERS: You have a school nurse, I believe, you said at the present time?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Is she a graduate nurse?

Mr. JOSEPH HILL: Well qualified.

Mr. LICKERS: You have a hospital too, have you not?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: Just one more question in connection with education. On page 3, item 4 (g) of the brief, you say,

"Adequate supplies of books to be provided."

Would you just explain that to the committee?

Mr. REGINALD HILL: I think the answer to that would be this; the teachers are required to send in a requisition for books as of March 31st to cover the following year. It is difficult, at times, to forecast the attendance at the school, or the number in any particular grade. As a result, you may find yourself short of certain books. Some of the teachers complained that it was difficult in September to secure additional books because, apparently, only the requisitioned number was supplied.

Deliveries were made by the truant officer once each term. In one case mentioned, he came with approximately 5 dozen scribblers of a certain grade, type A, and 5 dozen of type B and that was to cover the teacher's needs for one complete term with an enrolment of 45 pupils.

You can readily see that one issue completely exhausted the available supply. We will say a new supply of exercise books would be required in from four to six weeks in normal usage. The teacher would then find herself without any further supplies. The man who takes the books out is paid by the department for only one trip. Consequently, if he makes any additional trips they will be entirely at his own expense and he is rather loath to do it on too frequent occasions. You cannot blame him. I think that was the main complaint which was lodged at one of the meetings.

The CHAIRMAN: Now, gentlemen, it is after ten o'clock. The committee will convene to-morrow at eleven in this room. If you will be in attendance in the same positions to-morrow morning we will continue our discussion.

The committee adjourned at 10.10 p.m. to meet again on Friday, May 23, 1947, at 11.00 a.m.





## LIST OF APPENDICES

- APPENDIX EZ—Brief of the Veterans' Association, Wikwemikong, Manitoulin Island, Ontario.
- APPENDIX FA—Brief, dated May 12, 1947, of Whitefish River Reserve, Ontario.
- APPENDIX FB—Brief (undated) of Serpent River Band, Ontario.
- APPENDIX FC—Brief (undated) of Spanish River Band, Ontario.
- APPENDIX FD—Brief (undated) of Wahnapiatae Band, Ontario.
- APPENDIX FE—Brief, dated May 18, 1947, of Sheshegwaning Band, Ontario.
- APPENDIX FF—Brief (undated) of Sucker Creek Reserve, Manitoulin Island, Ontario.
- APPENDIX FG—Two letters, dated 12 May and 16 May, 1947, signed by Mrs. Dorothy McLeod, addressed to Canon Haines, Little Current, Ontario.
- APPENDIX FH—Brief, dated 11 May, 1947, of West Bay Band, Manitoulin Island, Ontario.
- APPENDIX FI—Three statements (undated) in support of representations contained in briefs from Wikemikong, Manitoulin Island.
- APPENDIX FJ—Brief of Grand General Indian Council, Walpole Island, Ontario.



## APPENDIX (EZ)

BRIEF OF THE VETERANS' ASSOCIATION OF WIKWEMIKONG,  
MANITOULIN ISLAND, ONT.

To the Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act, House of Commons, Ottawa, Ont., Canada.

HONOURABLE GENTLEMEN,—The War Veterans' Association of Wikwemikong consists of over one hundred members. We are all Indians living on the Wikwemikong Reserve where the Band membership is now about 1,600, one hundred per cent Catholic. In two full and lengthy sessions of deep discussion we have prepared this Brief for your careful consideration and action. As we threw open these sessions to all members of the Band and allowed them to vote on everything we discussed; this Brief, while presented in our name, really reflects the opinion of the entire Band.

1. *Treaty Rights and Obligations.*

We feel most strongly that all these treaties should be observed by all parties to them, and that the Indian Department has no right whatsoever to break them both in letter and in spirit of its own initiative and on its own responsibility.

We refer specifically to the fact that Indian women deriving benefits from the Robinson Treaty have been deprived of those rights upon marrying members of our Band who refused to accept that Treaty. The Indian Department is altogether too arbitrary in depriving us of our just privileges.

Since the black day July 24, 1863 when Mr. Gibbard, a commissioner of fisheries, landed at Wikwemikong with 22 constables to take away our fishing privileges, we have suffered greatly from whites coming onto our reserve to fish and hunt; and we wish that the laws in this regard be stringently enforced.

We desire that all the hunting and fishing privileges given to us by the Robinson Treaty be retained by us, no matter how much pressure is brought to bear by the various tourist associations.

2. *Band Membership.*

It is our general opinion that if any Indian woman legally married a white man, and was subsequently deserted by him, then she and her children should be re-admitted to her original band.

3. *Taxation of Indians.*

We feel that all Indians should be exempted from the payment of income tax.

4. *Enfranchisement.*

We are against any enforced enfranchisement of any band of Indians as a whole unit; but we will permit any Indian to enfranchise individually if he so desires. In case he does enfranchise, however, we desire that the children of the said Indian should not be enfranchised until they come of age and can choose for themselves.

5. *Right to vote.*

It is our considered opinion that all Indians should have the right to vote in Federal elections; but on no account should they be forced to surrender any of their present rights and privileges in order to be able to vote.



#### 6. *Old Age Pensions, Relief, etc.*

We believe and we desire that all Indians should be placed on an equal footing with white people in regard to Old Age Pensions, Mothers' Allowances, etc., without at the same time losing any of their present rights or privileges.

We believe that in these years when Canada is giving billions of dollars scotfree to foreign countries, it is criminal and disgraceful to starve and malnutrition the original inhabitants of this country by giving them only a few dollars of relief each month.

#### 8. *Education.*

We Indians are naturally very religious. It was as far back as 1648 that the Jesuit Poncet came to this island and spent seven months with us teaching us the Catholic religion. We love our religion and mean to resist any attempts by minority groups to deprive us of it. For this reason we are very much opposed to the public school system of education being foisted upon us. We want to keep our Catholic denominational schools and we wish to keep religion in our schools as we have always had it from the beginning.

However, we desire that the standard of education in our schools be improved as much as is possible by greater efforts being made by the Indian Department to secure first class teachers, with a higher salary paid to them if necessary.

In the spring of 1946 a strong complaint was lodged on our behalf verbally with Mr. Doucette of the Indian Department about the lack of training given to our children in the Kaboni day school. This complaint was backed up by statistics e.g. not a single boy in school was pass Grade III. Mr. Doucette made a gesture of taking notes about the matter, but no action was ever taken, or anything done to remedy matters as far as we have been able to learn. This is typical of the indifference the Indian Department shows when we try to advance ourselves.

Their excuse for this inactivity is that they can't get teachers. The true reason for the lack of teachers is that they wouldn't educate our own girls to be teachers. About ten years ago two girls put through school by the department (Mary Wabigijik and Mary Kinoshemek) taught only one year, and then got married. The department used this as an excuse not to send any more on for training. Actually four married Indian girls are teaching on our reserve right now, and two married girls from here are teaching on nearby reserves, so it is clear that marriage didn't stop their teaching. In fact one of the two girls the complaint was made about is teaching on a reserve on the Soo line. The Indian girls from this reserve have always shown great aptitude for teaching. The school records for the past ninety years show that they have always been teaching. On July 28, 1857, two Indian teachers from here (Mary Mishibinejima and Margaret Itawegijik) went to the convent of the Sacred Heart, Montreal, to complete their education at their own expense.

Some sixty or seventy children from this reserve are separated from their families every year to go off to a residential school. There is no need for this, whatsoever, as sufficient of them live close enough together that day schools could be erected for them with at least 25 children in each. That there is lumber available for this is evident from the fact that a large tourist establishment on the edge of our reserve has been able to find plenty of lumber to increase their accommodations both last spring and this spring—and ironically enough have been employing Indian carpenters and labour, while our own schools go unbuilt. We earnestly ask the members of the Committee to investigate this situation.

— In order that our children might get equal education with white children, we ask for a full Ontario school course, such as is had in the Separate Schools, to be introduced into our schools.

— We prefer day schools, when we can get them from the Indian Department, but we realize that the residential school has a definite place in our school

system and can't be eliminated. We think highly of the two residential schools we have at Spanish, Ontario, and wish that they could be given all possible help in the way of good teachers and equipment. A high school and vocational training school should be established there with all possible speed. Eight children from this reserve are finishing Grade IX this year, and they should be encouraged to continue their studies.

#### 9. Medical care

We appreciate the service being rendered to us by Doctor Simpson, our medical officer, and are fully satisfied with him and with the T.B. hospital at Manitowaning.

The dental care of our people has been sadly neglected in the past. We respectfully request that immediate dental care be furnished them through the visit of a dental clinic, and that provision be made for regular visits to the Reserve proper by a qualified dentist. We ask that the present practice of pulling out all ailing teeth indiscriminately without trying to save some by means of fillings be abandoned.

In 1933 at Wikwemikong, of the first twelve deaths, no less than eight were children of one year and less; in other years the proportion is always unreasonably high. We have two hospitals within a radius of 35 miles of this reserve, and we ask that all expectant mothers be taken to a hospital for safe delivery of the child and post natal care of both mother and child. We lose too many mothers and babies.

We further ask that Doctor Simpson be authorized to secure the services of a qualified eye-specialist as the need arises.

In view of the relatively large number of old people living alone on this Reserve without proper attention, we ask that a modest old peoples home be established as soon as possible.

We would like to have our main roads snowplowed in winter, because:—

- (1) We are a very large community and it is an unnecessary hardship to be cut off from the outside world during winter by snowblocked roads;
- (2) We have forty cars and trucks which cannot be operated unless roads are cleared of snow;
- (3) Five stores need a constant stream of supplies and unplowed roads hold these up too much;
- (4) Our daily mail service is constantly being thrown off schedule by snow storms leaving the roads impassable;
- (5) Our many sick are deprived of proper attention, due to difficult travel. Last winter we had to put a dying man, bed and all on a sleigh, build a tent around everything, and thus transport him eleven miles till we got out to the white man's land where we could secure a car and plowed roads to get him to the hospital. He recovered despite it all.

#### *Re building anew of dock destroyed by ice years ago.*

Formerly we always had a good dock. In 1861 a dock was built to supply passing steamboats with wood; in 1865 a dock was built for the oil companies; later, a dock was built for steamboats.

Now, however, we have no dock of any description and one is badly needed:—

- (1) For the importing of farm machinery and feed for our 125 farms in actual operation, our 280 working horses, hundreds of cows, pigs, sheep, poultry;
- (2) For the bringing in of supplies to our stores and people;
- (3) For the development of the tourist trade;
- (4) For the convenience of our fishermen.

*Re use of liquor.*

It is felt that Indians should be put on a par with Whites in regard to the use or abuse of liquor, that the same laws should apply equally to all, and that the Indian Act be amended to that effect.

We thank you for the courteous attention you have given to this brief, and hope that you will see fit to publish it as an appendix to your Minutes of Proceedings and Evidence.

Signed on behalf of the Veterans' Association:

In the absence of the Chief and some councillors away working, signed on behalf of the Wikwemikong Unceded Indian Band by:

- |   |                     |                            |
|---|---------------------|----------------------------|
| { | JOHN J. WAKEGIJIG,  |                            |
|   | ANDREW TRUDEAU,     | <i>Pres.</i>               |
|   | ONEZIME BEBAMEKAIE, | <i>Vice-Pres.</i>          |
|   | JOHN T. OSSIWIER,   | <i>Second Vice-Pres.</i>   |
| { |                     | <i>Secty.</i>              |
|   | JACOB BONDY,        |                            |
|   | B. W. ANDY,         |                            |
|   |                     | <i>Councillors.</i>        |
|   | DAVID MANITAWAK,    |                            |
| { |                     | <i>Con.</i>                |
|   | DOMINIC OLLZIG,     |                            |
|   | MATTHEW PETWANKWAL, | <i>Con.</i>                |
|   |                     | <i>Secty. M.I.U. Band.</i> |



**APPENDIX FA**  
**WHITEFISH RIVER RESERVE**

MAY 12, 1947.

THOMAS FARQUHAR, M.P.  
House of Commons,  
Ottawa.

DEAR SIR,—The following is in reply to a questionnaire which deals to the eight points dealt with in the questionnaire.

1. *Treaty Rights and Obligations.*

That our treaty rights and obligations be recognized and respected by both the federal and provincial governments.

2. *Band Membership.*

That the chief and council be given the power to adopt or not to adopt any person into the band.

3. *Liability of Indians to Pay Taxes.*

That Indians should not be liable to pay taxes.

4. *Enfranchisement of Indians both Voluntary and Involuntary.*

That Indians should not be enfranchised unless he so desires.

5. *Eligibility of Indians to Vote at Dominion Elections.*

Indians should not vote at Dominion elections.

6. *The Encroachment of White Persons on Indian Reserves.*

That encroachment of white persons on Indian reserved lands be prohibited.

7. *The Operation of Indian Day and Residential Schools.*

That operation of Indian day schools be continued and that qualified teachers be employed who are capable to teach at least second form high school or higher so that Indian children can obtain higher education.

8. *Other Pertaining to Social and Economic Status of Indians.*

That we require more assistance in the way of financial assistance by way of grants to Indians in establishing business enterprises or in farming; also that a certain area around off the reserves be allotted to Indians for the privileges of hunting and fishing.

Jonas Shawanda.  
Mike Pegoneasang.  
Daniel McGregor.  
Wm. Migwaneki.  
Franklyn Paibomesia.  
Gus McGregor.  
Chief Wm. McGregor.



## APPENDIX FB

## BRIEF OF THE SERPENT RIVER BAND, ONTARIO

The Indians of the Serpent River band(s) have the honour and pleasure to present the within brief for the consideration of the Joint Committee on Indian Affairs. The subject matter follows the headings and numeration as set down in the Orders of Reference of the House of Commons, Monday, May 13, 1946.

The representations, respectfully submitted, of the band(s), are as follows:

1. *Treaty Rights and Obligations*

Wherever there are treaty rights and obligations, these should be strictly adhered to by all parties of the treaty. These rights and obligations should bind and be respected by both Federal and Provincial Governments, nor should they be abrogated without the consent of both parties. Moreover, where any infringement upon these rights has occurred, such infringement should now be corrected and the treaty restored to its original force.

One case in point is the loss of trapping and hunting rights as provided by the Robinson Treaty. Whereas this treaty provided that all Indians of the seventeen bands along the north shore of Georgian Bay should have exclusive access to the fur resources of that section of Ontario lying south of height of land between Penatanguishene and Batchewana, it is the sad fact that now all Indians are required to obtain permits for hunting and trapping in this section, and it is even true that recently many Indians have lost their traplines and townships in favour of white trappers. There will be some suggestions on this point in Section 8, under "Industry".

2. *Band Membership*

Illegitimate children should be admitted to or excluded from the band at the decision of the Band Council.

3. *Liability of Indians to Pay Taxes*

Indians should be exempt from taxation whether Provincial or Federal.

4. *Enfranchisement of Indians*

In this agency enfranchisement has been very fairly handled. However, when a woman is enfranchised she should be given a fair share of the band fund. On the other hand if she returns to the band she should not have any right to the capital fund until the money drawn from the band has been repaid in full.

5. *Eligibility of Indians to Vote in Dominion Elections*

Indians should have someone in Parliament to represent their interests. Therefore Indians should have the right to vote in Dominion elections. However to vote intelligently there is great need of better education among the majority of Indians. We accordingly urge that education be advanced as speedily as possible so that Indians may take up their responsibilities as soon as possible.

6. *Encroachment on Indian Reserves*

Steps should be taken to prevent the squatting of whites on Indian reserves. Provision should be made that the resources of the reserves be not drained for future generations by the too free concession of pulp and timber rights to non-Indians.



## 7. Day and Residential Schools

Education is of prime importance in the development of Indians as morally responsible citizens. It should therefor be raised to the highest possible standard. To achieve this end we submit the following:—

(1) Indian schools both day and residential, should be denominational. Education is not worthy of the name of education if it does not extend to the moral training of the person to be educated. Moreover, true moral training apart from religious training is impossible. This fact has at last been recognized in Ontario in the ordination that religion shall be taught in all schools of the Province, whether public or separate. It is furthermore a fundamental tenet in the constitution of our country that everyone shall be free to practise his own religion. Therefore, since there is no such thing as non-denominational religious instruction, opportunity should be given to all to attend schools, whether day or residential, of their own particular faith.

Moreover, it is not enough that religion be allowed to be taught in the schools, but the teachers themselves should be of the particular faith of the pupils, since the practice of religion enters into every field of education and instruction, consciously or unconsciously.

(2) The courses to be followed in all schools should be in every way equal to the courses taught in non-Indian schools. In Ontario they should follow the full Ontario curriculum, so that marks and credits obtained in our schools should be recognized in any school in the Province. There is no reason to do otherwise since Indian students have proved time and again whenever they have been given a fair chance, that they are fully capable of competing on an even footing with any children anywhere.

(3) In order to bring the Indian schools up to the standard of the public and separate schools of the Province, we must have fully qualified teachers. In order to ensure qualified teachers our schools must offer salaries and living quarters fit to attract the best. This means that the grants to residential schools be large enough to allow for higher salaries. Because of the special difficulty of teaching Indian children in the lower grades because of the fundamental difference of language and even of thought formation, our schools should be in a position to choose their teachers with care, rather than be forced to accept whatever is left over from the Ontario schools.

(4) There should be provision to compel attendance at day schools, especially of children between the ages of twelve and sixteen. The family allowance is effective for younger children but too often parents will withdraw their children from school as soon as they are able to earn more than the amount of the family allowance.

(5) There should be adequate opportunity and encouragement for children to go on for higher education. Where possible, the day schools should be developed to provide for the first two years of high school. Besides this, certain central residential schools should be equipped to provide opportunities for all who are not near day high schools. These opportunities should be open to all without discrimination no matter what their location or background.

These high schools should also be equipped for vocational training equivalent to any schools in the province.

If a student shows aptitude and inclination for studies beyond the scope of the day or residential schools, he should be given opportunity to pursue them, not excluding preparation for the most intellectual professions.

*8. Other Matters Pertaining to the Social and Economic Status of the Indians and Their Advancement*

(a) WELFARE:

(1) Medical care: On some reserves it is rather difficult to obtain the services of a doctor, sometimes because the doctor is simply tremendously over-worked, but sometimes also because he simply does not care to come.

(2) Dental care: Under the present arrangement there is no adequate provision for dental care. When an Indian has a toothache the doctor pulls out the teeth. When the Indian has no more teeth he may go to a dentist for a set. That could hardly be called care. There should be regular dental clinics on each reserve.

(3) Old age pensions: These should be the same for Indians as for whites. The same can also be said for mothers' pension and relief. An Indian eats just as much as a white man and his food costs him just as much if not more since he generally lives in a more isolated district where store supplies are more difficult to obtain.

(4) Home for the aged: There should be established homes for Indian aged where they can be given proper regular care. A person who has a large family can generally find a place among his or her children. But old people who have no children are passed around from one family to another, well cared for by some and abused by others, and made to suffer a continual series of humiliations. If they are finally put in a home they may find themselves among total strangers with whom they cannot even converse. On the other hand a small home could provide them with trained attention and congenial companionship.

(b) APPOINTMENTS TO THE INDIAN DEPARTMENT:

These should be open to properly qualified Indian candidates.

(c) INDIAN DEPARTMENT:

There should be a separate Department of Indian Affairs in Ottawa with its own minister in charge. To this department Indian agents should be directly responsible.

(d) SELF GOVERNMENT:

Self government in directing the affairs of the village should be more fully in the hands of the councils. Where it is the unanimous opinion of the village or band concerned to spend money out of the band funds for the improvement of village life, the Indian agent should not exercise his veto power.

(e) COMMITTEE TO REVISE THE INDIAN ACT:

There should be Indian representation to assist in framing and drafting the actual amendments deemed necessary.

(f) INDUSTRY:

One of the main industries of the Indians in this area is trapping. Due to the shelving of the provisions of the Robinson Treaty, the Indians are in danger of being excluded from this industry entirely. It may be said that if the Indians are given free scope to hunt and trap as they wish, game would soon be exhausted. Under the present arrangement that may be true because of the feeling of antagonism and injustice which exists. But if exclusive rights were given back to the Indians as outlined in Section 1, the preservation of the industry would be their own responsibility and could be provided for through the Indian department and its officers. Moreover, if the Indians see that they are preserving the fur and game for themselves and their posterity, and not for the white trappers whom they necessarily regard as poachers, the game laws will be observed.

All of which we respectfully submit.

To be added to the Brief from the Serpent River Reserve.

Under *Industries*—Fishing—That the Indians of this reserve have rights to fish on the inland lakes on Crown lands—It seems to us that the rights to fish on the inland lakes has been reserved to tourists since we understand that it is not possible to have a licence to fish there. We understand that one of our reserve lost his nets as a penalty for fishing on such lakes. We believe that this is against the agreements whereby an Indian may fish anywhere, if such an agreement is not clearly defined and respected then steps should be taken that such an agreement be made and respected, the amount of fish taken from these lakes by an individual Indian for his family certainly could do no harm.

2. That the Indians of this reserve have water rights to protect them from the encroachment of the whites. Serpent River and Cutler Bay front on our reserve. We have no protection from the white fishermen who set their gill and pond nets not more than fifty feet from the shore of the lake or bay. This spoils any chance of our getting fish from these sources. We ask the committee respectfully to have this matter investigated and that means be given to the Indians on the reserve to set up their own fishing equipment and make the water rights such that the Indians will be sure of having these fishing locations strictly theirs. Some amount of fishing industry could be carried on, by the Indians themselves. We ask that a definite limit be set so that a trespasser may be specifically prosecuted for coming beyond that limit. If an area is not decided on then we shall have no definite means of legal prosecution.

3. Trap lines—That eighteen townships back of this reserve be reserved for the use of the people of the Serpent River Band. This is not too much for a reserve of at least forty-five families. The young men of our reserve are more than willing to learn to trap, they have no grounds (trapping grounds) on which they can learn. This reserve has men who are very experienced in trapping and this reserve needs trapping as there is no full time industry on the reserve. We ask that trapping rights and grounds therefore be given to us so that we may make a better living and not be dependent on odd jobs in the near towns. It seems shameful to us that we have no grounds and that so many whites from the nearby town of Spanish and from other places are surpassing us at trapping which could be and should be our special industry here.

Brief presented to the Joint Committee on Indian Affairs by the Indians of Serpent River Band.

Addition to Section 6.

(b) It should be understood no reserve boundaries can be changed or concessions of land for highways or telephone or power lines can be made without the agreement of the band council.

In particular: On the Serpent River Reserve the present highway number 17 has taken a strip of land 120 feet wide and some five miles long from the inhabited section of the reserve. It cannot now be found that there has been any settlement made to the band fund, or any agreement of any kind made with the band council either directly or through the Indian agent. We therefore respectfully submit the petition that this matter be investigated and, if it be found that there has been no agreement reached or due compensation made, that the error be corrected and provisions made that a similar mistake may not occur in future.



## APPENDIX FC

The Indians of the Spanish River band have the honour and pleasure to present the within brief for the consideration of the joint committee on Indian Affairs. The subject matter follows the headings and numeration as set down in the Orders of Reference of the House of Commons, Monday, May 13, 1946.

The representations, respectfully submitted, of the Spanish River band are as follows:—

1. *Treaty Rights and Obligations*: Wherever there are treaty rights and obligations, these should be strictly adhered to by all parties of the treaty. These rights and obligations should bind and be respected by both Federal and Provincial Governments, nor should they be abrogated without the consent of both parties. Moreover, where any infringement upon these rights has occurred, such infringement should now be corrected and the treaty restored to its original force.

One case in point is the loss of trapping and hunting rights as provided by the Robinson Treaty. Whereas this treaty provided that all Indians of the seventeen bands along the North Shore of Georgian Bay should have exclusive access to the fur resources of that section of Ontario lying south of height of land between Penatanguishene and Batchewana, it is the sad fact that now all Indians are required to obtain permits for hunting and trapping in this section, and it is even true that recently many Indians have lost their traplines and townships in favour of white trappers. There will be some suggestions on this point in Section 8, under "Industry".

2. *Band Membership*: Illegitimate children should be admitted to or excluded from the band at the decision of the Band Council.

3. *Liability of Indians to Pay Taxes*: Indians should be exempt from taxation whether Provincial or Federal.

4. *Enfranchisement of Indians*: In this agency enfranchisement has been very fairly handled. However, when a women is enfranchised she should be given a fair share of the band fund. On the other hand if she returns to the band she should not have any right to the capital fund until the money drawn from the band has been repaid in full.

5. *Eligibility of Indians to Vote in Dominion Elections*: Indians should have someone in Parliament to represent their interests. Therefore Indians should have the right to vote in Dominion elections. However to vote intelligently there is great need of better education among the majority of Indians. We accordingly urge that education be advanced as speedily as possible so that Indians may take up their responsibilities as soon as possible.

6. *Encroachment on Indian Reserves*: Steps should be taken to prevent the squatting of Whites on Indian reserves.

Provision should be made that the resources of the reserves be not drained for future generations by the too free concession of pulp and timber rights to non-Indians.

7. *Day and Residential Schools*: Education is of prime importance in the development of Indians as morally responsible citizens. It should therefore be raised to the highest possible standard. To achieve this end we submit the following:—

1. Indians schools, both day and residential, should be denominational. Education is not worthy of the name of education if it does not

extend to the moral training of the person to be educated. Moreover, true moral training apart from religious training is impossible. This fact has at last been recognized in Ontario in the ordination that religion shall be taught in all schools of the Province, whether public or separate. It is furthermore a fundamental tenet in the constitution of our country that everyone shall be free to practise his own religion. Therefore, since there is no such thing as nondenominational religious instruction, opportunity should be given to all to attend schools, whether Day or Residential, of their own particular faith.

Moreover, it is not enough that religion be allowed to be taught in the schools, but the teachers themselves should be of the particular faith of the pupils, since the practice of religion enters into every field of education and instruction, consciously or unconsciously.

2. The courses to be followed in all schools should be in every way equal to the courses taught in non-Indian schools. In Ontario they should follow the full Ontario curriculum, so that marks and credits obtained in our schools should be recognized in any school in the Province. There is no reason to do otherwise since Indian students have proved time and again whenever they have been given a fair chance, that they are fully capable of competing on an even footing with any children anywhere.

3. In order to bring the Indian schools up to the standard of the public and separate schools of the Province, we must have fully qualified teachers. In order to ensure qualified teachers our schools must offer salaries and living quarters fit to attract the best. This means that the grants to residential schools be large enough to allow for higher salaries. Because of the special difficulty of teaching Indian children in the lower grades because of the fundamental difference of language and even of thought formation, our schools should be in a position to choose their teachers with care, rather than be forced to accept whatever is left over from the Ontario schools.

4. There should be provision to compel attendance at day schools, especially of children between the ages of twelve and sixteen. The family allowance is effective for younger children but too often parents will withdraw their children from school as soon as they are able to earn more than the amount of the family allowance.

5. There should be adequate opportunity and encouragement for children to go on for higher education. Where possible, the day schools should be developed to provide for the first two years of high school. Besides this, certain central residential schools should be equipped to provide opportunities for all who are not near day high schools. These opportunities should be open to all without discrimination no matter what their location or background.

These high schools should also be equipped for vocational training equivalent to any schools in the Province.

If a student shows aptitude and inclination for studies beyond the scope of the Day or Residential schools, he should be given opportunity to pursue them, not excluding preparation for the most intellectual professions.

8. Other Matters Pertaining to the Social and Economic Status of the Indians and their Advancement.

(a) WELFARE

(1) Medical care: On some reserves it is rather difficult to obtain the services of a doctor, sometimes because the doctor is simply tremendously over-worked, but sometimes also because he simply does not care to come.

(2) Dental care: Under the present arrangement there is no adequate provision for dental care. When an Indian has a toothache the doctor pulls out the tooth. When the Indian has no more teeth he may go to a dentist for a set. That could hardly be called care. There should be regular dental clinics on each reserve.

(3) Old Age Pensions: These should be the same for Indians as for whites. The same can also be said for Mothers' Pension and Relief. An Indian eats just as much as a white man and his food costs him just as much if not more since he generally lives in a more isolated district where store supplies are more difficult to obtain.

(4) Home for the Aged: There should be established homes for Indian aged where they can be given proper regular care. A person who has a large family can generally find a place among his or her children. But old people who have no children are passed around from one family to another, well cared for by some and abused by others, and made to suffer a continual series of humiliations. If they are finally put in a home they may find themselves among total strangers with whom they cannot even converse. On the other hand a small home could provide them with trained attention and congenial companionship.

(b) APPOINTMENTS TO THE INDIAN DEPARTMENT

These should be open to properly qualified Indian candidates.

(c) INDIAN DEPARTMENT

There should be a separate Department of Indian Affairs in Ottawa with its own Minister in charge. To this Department Indian Agents should be directly responsible.

(c) SELF GOVERNMENT

Self government in directing the affairs of the village should be more fully in the hands of the council. Where it is the unanimous opinion of the village or band concerned to spend money out of the band funds for the improvement of village life, the Indian Agent should not exercise his veto power.

(e) COMMITTEE TO REVISE THE INDIAN ACT

There should be Indian representation to assist in framing and drafting the actual amendments deemed necessary.

(f) INDUSTRY

One of the main industries of the Indians of this area is trapping. Due to the shelving of the provisions of the Robinson Treaty, the Indians are in danger of being excluded from this industry entirely. It may be said that if the Indians are given free scope to hunt and trap as they wish, game would soon be exhausted. Under the present arrangement that may be true because of the feeling of antagonism and injustice which exists. But if exclusive rights were given back to the Indians as outlined in Section 1, the preservation of the industry would be their own responsibility and could be provided for through the Indian Department and its officers. Moreover if the Indians see that they are preserving the fur and game for themselves and their posterity, and not for the white trappers whom they necessarily regard as poachers, the game laws will be observed.

All of which we respectfully submit.





## APPENDIX (FD)

## BRIEF OF THE WAHNAPITAE BAND

To the Special Joint Committee of the Senate and House of Commons, appointed to examine and consider the Indian Act, House of Commons, Ottawa, Ontario, Canada.

HONOURABLE GENTLEMEN—In two special meetings held on this 19th day of April, 1947, we the members of the Wahanpitae Band, gathered in council under the leadership of our chief William Tahagawenene and councillors Andrew Tahagawenene, Alex Joe Recollet and Norman Recollet drew up this brief which we are happy to submit to you for your consideration.

1. *Treaties and Obligations*

We wish to be allowed to keep our rights of going anywhere we please even outside the Reserve to hunt and fish, like the Robinson Treaty promised us, without being put in jail or fined.

We think that the Indian Department should be made to keep strictly all the treaties it made with Indians, and shouldn't send men round every year breaking them, taking people off the Robinson Treaty list and things like that.

2. *Band Membership*

At present most of us are living on different Reserves from our own, and now many would like to move back to our own Reserve at Wahnapiatae. We wish that the Department will help us to move back and get settled there, without however forcing any one to go back who didn't like to go. We want the Department to help us build houses and start farms again at Wahnapiatae.

3. *Taxation*

We are opposed to the payment of income taxes.

4. *Enfranchisement*

We want to remain as Indians, keeping all our rights intact. We don't want to be forced to become white people, but we feel if any member of our band wants to enfranchise individually, he can do so.

5. *Vote*

We aren't anxious at all about voting, as we might lose some of our privileges.

6. *Old Age Pensions, etc.*

Our old people are too poor altogether and are starving to death through lack of proper care and nourishment. We don't get enough fish and meat any more, and canned food is very expensive, so we need more money for our old people and those on relief. This is a serious matter.

8. *Education*

We are a Band that is completely Catholic and our religion means a good deal to us. We are glad to be Catholics like over half the Indians in Canada are, and we want to stay that way.

That's why we don't want to have the slightest thing to do with any kind of cheap public school. We insist on denomination schools and Catholic ones at that.

But we want our school children to get the best kind of an education, so we want the classes to be run like the Separate Schools in Ontario as far as books and things studied are concerned.

We are proud of our nice Residential Schools at Spanish, Ontario, and want that the Indian Department be told to make them as good as can be got. Tell them not to be afraid to spend money. Our children deserve the very best. We want high schools and training schools at Spanish as quick as can be. Our children shouldn't stop school at grade four or five, and the Indian Department should be made to get us good teachers. Lots of Indian girls would be real good, if only they had a chance to learn. And our boys, too, should be given every chance to go ahead.

### 9. *Medicine*

The Doctor Simpson that we have at Wikwemikong is real good, and we're glad to have him, but the Doctor Young at Birch Island is too old to do good work and we would like a young man soon. The two hospitals at Manitowaning (T.B.) and Little Current do good work, and our people should be sent there whenever they are sick, and not have to stay in the homes where sometimes they don't get good care.

We want a dentist and an eye-doctor to look after us, and another doctor for our horses and cows. Too many die with no doctor.

If any of our women going to have babies want to go to the hospital to have them, well then let them go. Sometimes they are too sick and die in our houses. Too many kids die, too. Should be something done about it.

Thanking you very sincerely for attending to this, we hope you'll print it in your book like you did those from the other Reserves.

Yours truly,

Wm. Tahagawenene,  
Chief Wahnapiatae Band

Alex Joe Recollet,  
Councillor Wahnapiatae Band

Norman Recollet,  
Councillor Wahnapiatae Band

Andrew Jacko (Tahagawenene),  
Councillor Wahnapiatae Band.



## APPENDIX (FE)

SHESHEGWANING, Ontario,

May 18, 1947.

*The Joint Committee of Indian Affairs,*

HONOURABLE GENTLEMEN,—At this meeting of the Sheshegwaning Band at which a little better than two-thirds of the members are represented we have the honour to present to the Joint Committee on Indian Affairs the following comments and suggestions:—

1. As far as we at Sheshegwaning are concerned, we have no complaints about Treaty Rights. We were promised a Doctor, School and a road and we have all those and the boundaries of the Reserve have been kept.
2. We do not like Indirect Taxation such as Radio License on the Reserve.
3. As for enfranchisement we wish individuals to be left free to accept full citizenship when ready to do so.
4. We would like the right to vote in Provincial, as well as Federal Elections.
5. We ask for Old Age Pension, the same as accorded the Whites.
6. We are Anglicans and Catholics at Sheshegwaning, and we wish to keep our Denominational Schools.
7. We would like Residential schools to have a High School Course as well as their present course.
8. We have no complaint against Medical care given us.
9. We think we should not have to pay for a license to trap on or off the Reserve. We object also to pay for a fishing license.

On behalf of the Members of the Sheshegwaning Band:

Signed:

CHIEF SAM SIMON,  
ALBERT NEGONAWINA,  
PATRICK TURKEY,  
ADAM EMDANAWAS,  
LEVI WABEGIJID,  
JOSEPH NIGANIWINA,  
JOSEPH CADA,  
ALFRED CADA,  
THEODORE SIMON,  
NOEL DOMENIC.



## APPENDIX (FF)

BRIEF OF THE SUCKER CREEK RESERVE, MANITOULIN ISLAND,  
ONTARIO

1. Freedom of Indians to be allowed to live and "mix with" the white people. So that in time there will be no class distinction etc.
2. Old Age Pension wanted for the Indian the same as for white people.
3. They want the Department to improve the Agriculture for the Indian. That is give him some help in buying farm machinery etc.
4. The Indian Department to look after all Indian Property. That is all licenses for fishing and hunting should be paid into the Indian Department instead of the Provincial government.
5. The Indians want the right to vote.
6. Teachers urge that supplies being sent to the school should be at the school in September. The school supplies are so slow in coming that the work is held up a good deal.
7. Salaries paid to teachers of Indian schools should be on an equal standing with that of white schools.
8. Also the salaries for caretaking of the school be definitely increased. Good work will not be done at such a low salary as fifteen dollars (\$15) per quarter.
9. Residential schools considered satisfactory.
10. Chief Chas. Abotossaway has been chief here at Sucker Creek for sixty years and had done a great deal of good work among the Indians. He feels that now he is too old (age 87) to work that the Indian Department should give him a monthly allowance to live on, equal to that of the old age pension received by the white people.

Signed,

CHIEF CHAS. ABOTOSSAWAY.





## APPENDIX FG

Sucker Creek, Ont., Little Current,

May 16, 1947.

DEAR CANON HAINES,—1. The Indans want the right to vote.

2. Chief Chas. Abotossaway has been chief here at Sucker Creek for sixty years and had done a great deal of good work among the Indians. He feels that now he is too old (aged 87) to work that the Indian Department should give him a monthly allowance to live on, equal to that of the old age pension received by the white people.

3. Teachers urge that supplies being sent to schools should be at the school in September. The school supplies are so slow in coming that the work is held up a great deal.

4. Salaries paid to teachers of Indian schools should be on an equal standing with that of white school.

5. Also the salaries for caretaking of the school be definitely increased. Good work will not be done at such a low salary as fifteen dollars (\$15.00) per quarter.

6. Residential schools considered satisfactory.

MRS. DOROTHY McLEOD.

Signed: Chief Chas. Abotossaway.

May 12, 1947.

DEAR CANON HAINES,—The people here want a representative from each reserve to meet at a council on Manitoulin Island and pick out the one delegate to go to Ottawa. This will have to be held sometime this week. You and Father Dwyer would have to be present at it.

The people here have chosen the Chief to represent them at the general meeting on Manitoulin. This meeting would have to be held at some central place for all reserves.

Here are the things they want mentioned from this reserve:

1. Freedom of Indians to be allowed to live and "mix with" the white people, so that in time there will be no class distinction, etc.

2. Old age pension wanted for the Indian, the same as for white people.

3. They want the Department to improve the agriculture for the Indian. That is give him some help in buying farm machinery, etc.

4. The Indian Department to look after all Indian property. That is all licences for fishing and hunting should be paid into the Indian Department instead of the Provincial Government.

DOROTHY McLEOD.





## APPENDIX FH

West Bay, Excelsior P.O., Ont.

May 11, 1947.

The Joint Committee on Indian Affairs:

HONOURABLE GENTLEMEN:—The West Bay Band of the Manitowaning Agency, at a well-attended meeting, having freely discussed for three and a half hours, points suggested by the Honourable J. A. Glen, and other matters concerning this reserve in particular have the honour to present their opinions and suggestions to the Joint Committee on Indian Affairs.

(1) We wish to keep the membership of the band as it stands at present.

(2) As to the right to vote, some desire it and others are afraid to request it lest they lose some treaty rights.

(3) Some favour enfranchisement some will not ask for it until they have a better understanding of the responsibilities entailed.

(4) All present at the meeting urge their request for old age pensions such as whites enjoy.

(5) We wish to keep the Ontario Catholic School system, but request that separate school inspectors see to it that teachers follow the schedule carefully so as to teach the full course.

(6) While we favour fully qualified teachers we would like teachers of primary grades to speak Indian even though they hold a lower certificate. We think that such a teacher succeeds better with children who know no English when they begin school.

(7) We would like to have authority to change a doctor if he does not do his duty.

(8) A private phone line to the doctor's office would be desirable as at present long delays occur in getting through, even in emergencies.

(9) We would welcome some small industries such as boat-building, machine-shop, garage, etc.

(10) In a short time there will not be enough arable land to support our increasing population. We ask aid in buying land off the reserve from farmers who wish to sell. An extension of the reserve boundaries would not serve the purpose as it would include too much rock and useless territory.

(11) We would rather the Indian Agent had less power to interfere, and would like to be able to act for ourselves in some matters where the agent's interference is more a hindrance than a help.

Chief Dominic Migwans

Councillors: Ambrose Pleasant  
Ivan Paul



## APPENDIX FI

STATEMENTS IN SUPPORT OF REPRESENTATIONS IN  
WIKWEMIKONG BRIEFS*General Brief**Section 1. Treaties*

In the early days all the islands around the Wikwemikong Reserve (Lonely Island, Fitzwilliam Island and so on) belonged to the reserve. They had been given by treaty to the Indians before there ever was a province of Ontario, and were in actual fact lived upon and used by the Indians. Then they were taken away from the Indians and given to the province. Your Indian department officials can supply the dates and so on.

*Priests' Diary—Jesuit Journal*

In 1836 begins the day by day record by the priests of all the events of each day. From reading it we get an inside story of the Head treaty, McDougall treaty, Robinson treaty itself.

From various entries we see a constant fight on the part of the Indians to protect their fishing rights and so on, and a gradually losing of those rights.

Commercial pond nets set up by Killarney fishermen in Wikwemikong Bay and James Bay (Wikwemikonging).

*Fishing Rights, July 20, 1859*

A Mr. Gibbard, Commissioner of Fisheries requests Father Hanipaux to inform the Indians that henceforth they will have to secure by auction whatever fishing grounds they would wish to keep. The chiefs protest against this infringement on their rights, but superintendent will not listen to them.

Arrest of John Cooper for picking up dead deer.

Women losing Robinson treaty money.

Catherine Flamand wife of Matthew Pitawanakwat, Sarah Shawana, wife of Jacob Bwandya, and many others.

*Batchewana Band*

Treaty in treaty book shows that they surrendered their lands in a two-fold proposition: (1) a lump sum of money; and also (2) land elsewhere.

(Find treaty in book about 1849).

The money was given.

The land was never given—Davis, senior lawyer of department, frankly admitted this to Father O'Flaherty in a conversation in 194?, at Ottawa.

The Batchewana Band went to Garden River Band as squatters sort of.

In late 1930's the Garden River Indians wanted to get rid of them as they had grown too numerous. The Batchewana Band needed a new reserve. The Ranglein location between Garden River and the Soo was available, price about \$17,500 (check on this). The department wouldn't or couldn't get this money from the government, bluntly said "there's a war on and we need it elsewhere" (Davis), although they should have done so to fulfill part two of the treaty.

The Batchewana Band had to buy the new reserve out of their band funds. (This should all be easy to check on).



Section Six—*Relief*

Relief about \$4.60 a head. (Jacob Bwandy councillor. Homes most miserable, no money for clothes, etc., secondhand handouts.

Cummings prices for birch bark, etc.—Cronin's, Cummings' payment of guides.

*Veterans' Brief*Section Eight—*Education*

About the Kaboni day school.

It was Father O'Flaherty in charge of Kaboni that spoke to Mr. Doucette in the presence of the Indian agent at the time that Mr. Doucette visited the reserve to talk to the veterans, spring of 1946.

Actually teaching now: my sister in West bay, my wife in Baswa, Mrs. Adam Corbiere in Wikwemikong, Mrs. Joe Trudeau in Wik, Mrs. John Wakegijik in Rabbit Island, Mrs. Henry Fox (Rose King) in Birch Island, Mrs. Napons (Mary Kinoshemeg) Mississauga, Mary Wabigijik ? Whitefish Lake, Christine Wakegijik up the T.N.O.

## APPENDIX FJ

## GRAND GENERAL INDIAN COUNCIL

Walpole Island, Ont.

May 3, 1947.

Mr. Norman E. LICKERS  
Liasion Officer,  
Joint Committee of the  
Senate and House of Commons  
Ottawa, Ontario.

DEAR SIR,—A Grand General Indian Council of Ontario meeting was held on Walpole Island Reserve on April 30, May 1, and 2, 1947, for the purpose of drawing up briefs as desired by the Joint Committee of the Senate and House of Commons, which are as follows:

No. 1. *Treaty Rights and Obligations.*

They be maintained; the Indian Reservation lands be exempt from the crown as stipulated in the original treaties and also the Gunshot Treaty, No. 96 Anno 1792 in regard to water shore rights which are to hold good as long as the grass grows and as long as the water flows.

No. 2. *Band Membership:*

Any illegitimate child with Indian blood be admitted into the band which his or her father and mother is a member.

(a) Any Indian woman shall have the same status as provided for a male member of any reserve with the exception her land will be retained as band land after she is through with it or dies.

No. 3. *Liability of Indians to pay taxes:*

Indians be exempt from paying taxes and income taxes when working outside of an Indian reservation.

(a) Whites having summer cottages on Indian reservations, paying taxes on said cottages be paid to an Indian Agent for public purposes on the reservation rather than, as at the present, to the adjacent Townships.

No. 4. *Enfranchisement of Indians, both voluntary and involuntary:*

We do not want enfranchisement, but this matter be left to each Indian to use his discretion.

No. 5. *Eligibility of Indians to vote at Dominion Elections:*

We do not care for the right to vote, but if the Government wishes to grant us this privilege it should not become a reason to encroach upon our treaty rights.

No. 6. *Encroachment of White Persons on Indian Reserves:*

We believe that Indian Reserves are strictly the property of Indian Bands, and that no white person should be tolerated on any of them; The Department of Indian Affairs should also expel immediately all white persons who have homes on Indian Reserves and who are conducting business thereon

No. 7. *Operation of Day and Residential Schools:*

That the curriculum on Indian Schools be the same as that of the Public Schools, and that teachers on Indian Schools be paid a salary on a par with the salaries of teachers who are teaching in Public Schools anywhere.

No. 8. Any other matter pertaining to the social and economic status of Indians and their advancement which in the opinion of such committee should be incorporated in the revised Act.

(a) Indian women be given the right to vote at Indian elections and any public matters of their reserves.

(b) Hospitals be erected within convenient reach of Indians in the isolated reserves.

(c) Aged Indians be given pensions.

(d) The word "SQUAW" be put out of use from the English language. N.B. SQUAW; the meaning of this word is of a private nature and applies to all females regardless of nationality.

PAPOOSE is not an Indian word and has no place in the English language. These two words are an INSULT to the Indian race.

(e) Section 91, sub-section 24 of the British North America Act was up for considerable discussion, but no conclusion was arrived at. It was finally decided to leave this matter to the assistant secretary, James Fox to use his discretion as to the way it should be brought to the attention of the Joint Committee of the Senate and House of Commons which is as follows:

The above said section 91, subsection 24 of the B.N.A.A. should be abolished as I believe this is the root of the Indians' downfall.

(Sgd.) JAMES FOX

A motion was carried that President H. B. Williams, Walpole Island, Ontario, and Chief Joseph Wahbegeshik, Wikwemikong, Ontario were appointed to present the above briefs to the Joint Committee of the Senate and House of Commons at Ottawa, Ontario.

(f) *Indian Act 126.... Intoxicants:*

Motion was passed that liquor restrictions in the Indian Act be revised.

(g) That we request the Parliamentary Committee recognize the Grand General Indian Council of Ontario as a body of Indians from Ontario dealing with the Indian Act questions and other matters pertaining to Reserves.

(h) In regards other briefs drawn by individual bands and were reported by delegates by their respective bands were not discussed, but affirmed by the Grand General Indian Council for their respective briefs to be presented to the Joint Committee, Ottawa.

We therefore beg and submit to your honourable Sirs, our general outline and in sort, briefs as stated.

(Sgd.)

H. B. WILLIAMS  
President

WALLACE LONEY  
Secretary

Walpole Island, Ontario.  
R.R. No. 3.







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(SESSION 1947)



(SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 26

FRIDAY, MAY 23, 1947

WITNESSES:

Mr. Reginald Hill, representing Six Nations' Council, Brantford, Ont.;  
Mr. Joseph C. Hill, representing Six Nations' Council, Brantford, Ont.;  
Chief Sam Lickers, representing Hereditary Chiefs, Six Nations, Brantford, Ont.;  
Mr. William Smith, Six Nations "Iroquois" Confederacy, Brantford, Ont.;  
Mr. Asa Hill, Indian Defence League of America, Niagara Falls, N.Y.;  
Chief Tom Roy, for Northwest Angle Treaty Indians, Ontario.  
Chief William Meawasige, representing Indians of Manitoulin Island;  
Mr. Lawrence Peltier, Wikwemikong Reserve, Manitoulin Island;  
Mr. Henry Jackson, Midland, Ontario, representing Robinson Treaty and James Bay Indians, and spokesman for Temagimi Reserve;  
Mr. Telford Adams, Sarnia, Ont., representing Indians of Southwestern Ontario;  
Chief William Pine (Shingwauk), Garden River Reserve, Ont.;  
Mr. Mark Pine, (Shingwauk), Garden River Reserve, Ont.;  
Mr. Frederick Pine (Shingwauk), Garden River Reserve, Ont.

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## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
Friday 23rd May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.  
Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senator Blais. 1.

*The House of Commons:* Messrs. Brown, Bryce, Blackmore, Case, Castleden, Charlton, Farquhar, Little, Matthews (*Brandon*) (Vice Chairman) MacLean, MacNicol, Reid, Richard (*Gloucester*)—13.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; T. R. L. MacInnew, Secretary; B. F. Neary, MBE., Superintendent, Welfare and Training; H. M. Jones, Supervisor, Family Allowances; W. S. Arniel, Inspector for Ontario; Lt.-Col. E. P. Randle, Superintendent, Six Nations; G. Patrick, V.L.A.; also, The Rev. Canon H. A. Alderwood, D.D., Supt., Indian School Administration, Missionary Society, Church of England in Canada; Rev. Father J. A. Brachet, O.M.I., Principal, Indian Residential School, Fort Alexander, Manitoba; Rev. Fr. G. Laviolette, O.M.I., Editor, Missionary Record, Lebreton, Sas.; J. C. Forward, MSCC; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer; also, the witnesses to be questioned this day (See Minutes of Evidence) and the following other Indians: Walter Sands, Walpole Island; J. B. Tootoosis, President, Union of Saskatchewan Indians; John Twain, Temagami, Ont.; William E. Pine (Shingwauk), Garden River; Daniel Pine; Mark Pine, Fred. Pine, all from Garden River; E. D. Tabobondung, Parry Sound; Chief C. L. Big Canoe, Georgina Island; Lewis Jackson, Christian Island; D. MacKenzie, Temagami; Alex. Paull, Temagami; Phillip McDougall, Temagami; J. A. Burnham, Six Nations; Gordon Martin, Six Nations; Chief J. A. Martin, Six Nations; David Thomas, Six Nations; John Henhawk, Six Nations;

The Chairman read into the record a letter authorizing Mr. Lawrence Peltier to appear before the Committee as a representative of the Wikwemikong Reserve.

Questioning resumed of witnesses representing Indians of Ontario.

Messrs. Reginald Hill and Joseph C. Hill, from Six Nations; Chief Sam Lickers, representing Hereditary Chiefs, Six Nations; Mr. William Smith, of Six Nations 'Iroquois' Confederacy; Mr. Asa Hill, from Indian Defence League of America.

The Committee adjourned at 1 o'clock p.m., to meet again at 4 o'clock p.m. to-day.

## AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P. Joint Chairman.

*Present:*

*The House of Commons:* Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Castleden, Farquhar, Little, Matthews (Brandon) (Vice Chairman)—9.

*In attendance:* as at morning session.

Questioning resumed of witnesses.

Messrs. Tom Roy, for Northwest Angle Treaty Indians;

Chief William Meawasige, representing Manitoulin Island;

Lawrence Peltier, Wikwemikong Reserve, Manitoulin Island;

Henry Jackson, representing Robinson Treaty and James Bay Indians and also as spokesman for Temagami Indians;

Mr. Telford Adams, Sarnia, Ontario, representing Indians of Southwestern Ontario;

Chief William Pine (Shingwauk), Garden River Reserve;

Mr. Mark Pine, Daniel Pine and Fred. Pine, all from Garden River Reserve.

The Chairman thanked the delegates for the valuable assistance they had rendered to the Committee and advised them that if there were any other matters which they would like to put before the Committee and which they had overlooked, or had not the time to present, that they should send written briefs covering such matters to the Clerk of the Committee "within the next few days".

All witnesses were excused from further attendance and withdrew.

The Committee adjourned at 6.05 p.m., to meet again on Tuesday next, 27th May, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
May 23, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, (Joint Chairman) presided.

The CHAIRMAN: Before we proceed with the minutes of the meeting, I want to present first a brief from the Wikemikongs of Ontario.

If you would permit this to be filed it can be added to the minutes of the proceedings of this committee.

Agreed.

WIKWEMIKONG, ONTARIO  
May 20, 1947.

Mr. R. A. HOEY,  
Director Indian Affairs Branch,  
Ottawa.

DEAR SIR: Mr. Lawrence Peltier of this Reserve was duly elected at an assembly of Manitoulin Island chiefs and other delegates held last night to represent us at Ottawa together with Chief Meawasige at the hearings of the Special Joint Commission.

We wish Mr. Peltier while he is in Ottawa to do all that he is able to further the best interests of this Reserve, and we would be most appreciative of any assistance that you yourself and the Department could give him in the way of furnishing any information, records etc. that he might desire.

A brief was forwarded to Ottawa by our Agent Mr. Johnson that had been made up last year. We have lost track of its whereabouts and don't know if it has yet been brought to the attention of the Special Joint Committee. If you are aware of its present whereabouts, we would be grateful if you could arrange that Mr. Peltier be given an opportunity to read the said brief, in order that he might be in a position to bring before the Committee any thing from it that he might want to discuss with them.

We thank you very much for your courtesy in this matter, and in the absence of our Chief and several councillors out loading pulpwood, we sign ourselves

Yours truly,

JACOB BWANDY, *Councillor.*

MATTHEW PITAWANAKWAT, *Secretary.*

Now yesterday we were questioning representatives of the Six Nations and the first two witnesses were Mr. Reginald Hill and Mr. Joseph Hill. Now if it is your pleasure we will continue with the examination. Mr. Lickers was examining the witness.

I might draw to the attention of the committee, before we proceed further, that this room must be vacated early to-day. Yesterday I told you that it would have to be vacated by 1.00 o'clock but the meeting can go through until 5.00 o'clock. We have an extension until 5.00 o'clock this afternoon but it must be vacated at that time.

Mr. REID: May I ask why it must be vacated, for what reason?

The CHAIRMAN: Because there is a larger meeting to take place here.

Mr. BRYCE: What kind of a meeting?

The CHAIRMAN: I believe it is a caucus.

Mr. BRYCE: Are you positive that it is a caucus or is it a social gathering?

The CHAIRMAN: It is not a social gathering.

Mr. FARQUHAR: If we have until 5.00 o'clock that gives us a good extension.

Mr. BRYCE: Well let us get on with it then.

The CHAIRMAN: Well is it agreeable to the committee?

Agreed.

Now, Mr. Lickers will you go ahead?

Mr. LICKERS: I have just one further question on education and I believe Mr. Hilton Hill, that you obtained a copy of the report of the local council of women at Brantford in connection with the Mohawk residential school.

Mr. HILTON HILL: Yes, I have it in my hand.

Mr. LICKERS: Rather than read it, would you mind just filing it as an appendix to the report. (Appendix FK)

The CHAIRMAN: Thank you very much Mr. Hill.

Mr. LICKERS: Who was that copy prepared by, do you know?

Mr. HILTON HILL: Miss Willoughby, the secretary of the local council of women.

Mr. LICKERS: And you obtained that from her?

Mr. HILTON HILL: That is right.

Mr. LICKERS: Now, Mr. Reginald Hill, in connection with the powers of the council, what actual authority have they on the Six Nations reserve?

The CHAIRMAN: May I ask if it agreeable to the committee that the report of the local council of women of the city of Brantford be appended to the minutes of this meeting?

Agreed.

Mr. REGINALD HILL: What was that question again, Mr. Lickers?

Mr. LICKERS: I would just like to know what the authority of the Six Nations council is on the reserve?

Mr. REGINALD HILL: Their authority is comparable to that of a municipal council off the reserve, with the exception however, that their decisions are subject to approval of the Indian Affairs Branch.

Mr. LICKERS: All of their decisions?

Mr. REGINALD HILL: Yes, I think I can safely say all of their decisions.

Mr. LICKERS: Then if they hold a meeting we will say, and pass a resolution to-day in connection with local affairs, would that resolution have to be sent down to the department here before any action could be taken?

Mr. REGINALD HILL: That is correct.

Mr. LICKERS: And how prompt is that approval?

Mr. REGINALD HILL: We generally get approval before the following council meeting.

Mr. LICKERS: And how long is that?

Mr. REGINALD HILL: That is not always correct, there are hold-ups, because the council meets monthly.

Mr. LICKERS: Is that a satisfactory way, as far as you are concerned, of governing the Six Nations? I am speaking of local affairs.

Mr. REGINALD HILL: In our brief in various places, on page 6 for example, subsection 2; we say: "The decision of the band or council of the band shall be final and conclusive, subject to an appeal to the superintendent general". That would undoubtedly eliminate this delay and vest real power in the councils located on our reserves.

Mr. LICKERS: Does the council carry on any schemes for improvement on the reserve?

Mr. REGINALD HILL: The upkeep of roads, for one thing, is directly under their control. They have a roads committee. The local agriculture society conducts farming improvement schemes and also conducts a swine club. They receive grants from the council to assist in the carrying out of the project.

Mr. LICKERS: Is there any project on the Six Nations reserve to help the young people after they have left school? I am talking of those between sixteen and twenty-two or twenty-five?

Mr. REGINALD HILL: There is a young people's organization which meets twice a week and my colleague here, Mr. Joseph Hill is in charge of that and I would much prefer that he give you the details.

Mr. LICKERS: Would you care to do that Mr. Joseph Hill?

Mr. JOSEPH HILL: The young people meet twice weekly. Do you want me to give a report of their activities?

Mr. LICKERS: Just briefly please.

Mr. JOSEPH HILL: We carry on with such activities as tumbling, pyramid building, group games, stunt games, basketball, volleyball or hockey, and we are publishing a newspaper known as the Pine Tree Chief. There are other minor things that we are carrying on but those are the major activities.

Mr. LICKERS: How are they financed?

Mr. JOSEPH HILL: The council supply the hall, the heating, and the lighting.

Mr. LICKERS: And what about the purchase of equipment?

Mr. JOSEPH HILL: To begin with, the young people themselves undertook to purchase the equipment that we have. We did receive some aid two years ago and we were able to get parallel bars and a horse.

Mr. LICKERS: But at the present time the young people are financing that themselves, are they, with the exception of the rental of the hall?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: Now then, I notice also in your brief that you mentioned that you would like to have authority to spend up to \$1,000; absolute authority in the council to spend up to \$1,000 at any one time. Now does that include not only the interest on your trust funds but also the principal itself.

Mr. REGINALD HILL: The interest from our trust funds was what they had in mind. They had no intention of touching the actual principal.

Mr. LICKERS: Then would it be safe to say this? Do you want full control of the interest on your trust funds?

Mr. REGINALD HILL: We do not want to withdraw it from its present deposit but we do want to have the final say and complete say as to how it shall be spent.

Mr. LICKERS: That is on the interest, but what about the capital?

Mr. REGINALD HILL: I think we mention in our brief on page 2, subsection 3, something which would answer that. "While we approve of our funds being held in trust by the government"—I think that answers your question.

Mr. LICKERS: You do not want to have control of the capital?



Mr. REGINALD HILL: Only to the extent that no moneys will be expended without our knowledge and consent as mentioned further along.

Mr. LICKERS: Do you not think it would be a simpler procedure if, each year, the interest on your trust funds were transferred to the bank account at Brantford to the credit of the band so that the band by its representatives could draw cheques on that for the running of your local affairs?

Mr. REGINALD HILL: That was discussed at some considerable length and it was felt by leaving it with the government here in Ottawa we would realize more interest on it than could be gained were it withdrawn and placed in a chequing account in Brantford.

Mr. LICKERS: So you would rather leave it here in Ottawa?

Mr. REGINALD HILL: That was the final decision and it was for that reason.

Mr. LICKERS: I think that is all I have to ask, Mr. Chairman.

The CHAIRMAN: Now that Mr. Lickers has finished his examination what is your pleasure with respect to examination by the committee? Shall I limit it to a definite time?

Mr. BLACKMORE: Mr. Chairman, I would be very well pleased, personally, to see Mr. Lickers carry on with the other gentlemen and then after that we could divide up the time.

The CHAIRMAN: What is the pleasure of the committee?

Mr. REID: I think there should be continuity of examination.

The CHAIRMAN: Is it the pleasure of the committee to permit examination by members at this stage?

Mr. BRYCE: The questions will be much similar whether one man asks them or another. If one of us asks them there is no need to have them asked over again.

Mr. REID: You would have continuity with respect to the witnesses who are now here.

The CHAIRMAN: All I want to do is to find out the pleasure of the committee. Is it your pleasure now for members of the committee to submit questions to the witness?

Carried.

Q. Is it your wish to limit the examination by any one member of the committee to ten minutes?

Carried.

Mr. CHARLTON: Mr. Chairman, I have just a few questions I would like to ask. Mr. Hill, you intimated in your statement yesterday that teaching on the reserve did not follow the same curriculum as that taught in the county schools. That may have been a misunderstanding on my part and I just wanted to ask you if that was true?

Mr. JOSEPH HILL: I believe you must have misunderstood, because we do follow the provincial curriculum.

Mr. CHARLTON: And the Brant county inspector inspects your schools?

Mr. JOSEPH HILL: That is correct.

Mr. CHARLTON: And you are acting in an advisory capacity to him?

Mr. JOSEPH HILL: Yes.

Mr. CHARLTON: I believe that you applied for an appointment to the Mohawk Institute at one time?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: For the position of principal, or Indian agent, or something like that?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: And did your application have the support of the agent?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: What about the council?

Mr. JOSEPH HILL: They also supported my application.

Mr. CHARLTON: For what reason did you not get the job, do you know?

Mr. JOSEPH HILL: I cannot answer that.

Mr. CHARLTON: Is there any other member of the delegation who would be able to give an answer to that question? There is no obvious reason, it was just that you did not get the position?

Mr. JOSEPH HILL: The only reason that I can give would be that the church concerned wanted to retain their right to the appointment of officials.

Mr. CHARLTON: Well, I understand that the department is paying the entire cost of the operation of that school now.

Mr. JOSEPH HILL: To the best of my knowledge.

Mr. CHARLTON: And the church has not contributed anything to that school for some time and does not contribute at the present time?

Mr. JOSEPH HILL: I do not know.

Mr. CHARLTON: Probably Mr. Hoey could answer that question.

Mr. HOEY: I do not know of any contribution on the part of the church at the present time or at any time since I came to the department.

The CHAIRMAN: That institute is maintained by the Anglican church, is it not?

Mr. CHARLTON: It was previously, Mr. Chairman; but apparently in the last few years it has been taken over by the department entirely.

Mr. HOEY: Mr. Chairman, it is a quite involved story. It is one of the oldest residential schools in North America and the property of the New England company.

The CHAIRMAN: Your ten minutes is fleeting, Mr. Charlton.

Mr. HOEY: Briefly, the Anglican archbishop of the diocese insisted on appointing the principal. That is really the crux of the whole matter; and the department took the stand that a trained educationist, a layman, might well be put in charge; and the archbishop was extended the right to appoint a chaplain but he was not satisfied with that and negotiations went on for years with the result that the principal is an Anglican clergyman. The buildings are owned by the New England company while the farm land is owned by the Six Nations. The school is financed by the department and the principal is appointed on the recommendation of the archbishop. That is one of the most confused administrative set-ups I have ever run into in a long experience.

Mr. CHARLTON: Referring to page 5 of your brief, "reinstatement of enfranchised minors"; I understand there have been cases where minors have been enfranchised by their parents.

Mr. REGINALD HILL: That is right.

Mr. CHARLTON: Do you know of many cases of that kind?

Mr. REGINALD HILL: We have discussed these two cases on the Six Nations.

Mr. CHARLTON: And these minors now having become of age it is your desire that they be restored to active membership in the band? I understand they have made applications to that end.

Mr. REGINALD HILL: In one case they actually placed the money on the table, their share of the band funds.

Mr. CHARLTON: And they were refused?

Mr. REGINALD HILL: Because there was no provision in the Act; they could not be accepted and reinstated. It was for that reason that we made the recommendation which we did there in section 10 because we felt an injustice had been done and that the best way to rectify it would be to give them the privilege of regaining their membership if the council saw fit.

Mr. CHARLTON: Mr. Maracle, last night I understood you to say that the Indian council had not been to the Mohawk Institute for some years, I believe.

Mr. MARACLE: I didn't say that. I think I said "two years"; I said they had not visited it last year.

Mr. CHARLTON: Why did they not visit it last year, could you tell me that?

Mr. MARACLE: Well, it was laxity on the part of the council.

Mr. CHARLTON: Laxity on the part of the council; they could have visited it had they wanted to?

Mr. MARACLE: Yes.

Mr. CHARLTON: Now, on page 3 of the brief, section 3, you have a reference to agriculture. You now have an agricultural supervisor on the reserve, have you not?

Mr. JOSEPH HILL: An inspector, yes.

Mr. CHARLTON: Is he an Indian or a white man?

Mr. REGINALD HILL: He is a white man.

Mr. CHARLTON: Has there ever been an Indian apply for that position?

Mr. REGINALD HILL: There has been.

Mr. CHARLTON: Have you any reason for his not getting the position?

Mr. REGINALD HILL: We know of no reason for him not to. I may say that he is a graduate of O.A.C. and the present holder of the position is not a graduate.

Mr. CHARLTON: Are his services satisfactory as far as the Indian reserve is concerned?

Mr. REGINALD HILL: Not being a farmer perhaps I should not answer that. Probably someone else could. Mr. Maracle informs me that his services have not been entirely satisfactory.

Mr. CHARLTON: You have stated in your brief that you wanted an agricultural agent there provided with sufficient funds to increase considerably the development of progress of agriculture on the reserve and to cooperate with the provincial department of agriculture; do you mean to say that he should work directly under the provincial department of agriculture, or under the Indian agent?

Mr. REGINALD HILL: In the discussion, when this matter was brought up, we had in mind making a recommendation. Up to the present time the Ontario department of agriculture has been most generous with us and made available all the various courses in this particular program. For instance, at the present time we are receiving a grant from the Ontario department of agriculture and we felt that we were dependent entirely on the goodwill of the province of Ontario, that there should be provision made for aid coming from the federal department as well and then we would be more in a position to ask for this rather than to beg for it.

Mr. CHARLTON: In other words, in a cooperative capacity rather than having the Ontario department actually in charge.

Mr. REGINALD HILL: That could be settled after the set-up is arranged. That would be fine.

Mr. CHARLTON: Do you not think it would be a satisfactory arrangement to have the agricultural agent on the reserve more or less an assistant to the agent, or an assistant agent?



MR. REGINALD HILL: Do you mean, to the agricultural representative?

MR. CHARLTON: No, to the Indian agent, assistant to the Indian agent.

MR. REGINALD HILL: To a great extent I believe that that is the case now.

MR. CHARLTON: And more or less be raised to the position of Indian agent on the reserve as Indian agents are retired or superannuated.

MR. REGINALD HILL: That might be fine, particularly after he had gained considerable experience.

MR. CHARLTON: But it would be a good training for an Indian agent, would it not?

MR. REGINALD HILL: I do not know any reason why it should not be excellent.

THE CHAIRMAN: Sorry, Mr. Charlton, your ten minutes have long since expired.

MR. REID: So much attention has already been given to the subjects of education and schools that I am going to pass that over for the moment and proceed to other topics. My first question is this; from the answers given yesterday there was one, I think, in which it was said that there are 1,195 aboriginals on your reserve. My question—what about the Indian religion, is it still practised?

MR. REGINALD HILL: Very definitely, yes.

MR. REID: Have any questions been asked regarding farming?

THE CHAIRMAN: A number of questions have been asked on that.

MR. REID: All right, then; how about dependents' allowances, are they of benefit, has it resulted in the better attendance of the children?

MR. JOSEPH HILL: It has increased our attendance ten per cent.

THE CHAIRMAN: What is the question?

MR. REID: Have dependents' allowances been of benefit and has it resulted in better attendance?

MR. CASE: Dependents' allowance; what do you mean by that?

MR. REID: I am sorry, I meant family allowances; take out the word "dependents'" and put in the word "family", please.

What type of farming is done?

MR. REGINALD HILL: Mr. Joseph Hill could answer that better than I could.

MR. JOSEPH HILL: At the past census there were practically 1,000 acres of wheat; 5,000 acres of oats; 500 acres of barley; 3,100 acres of hay and 450 acres of garden.

MR. REID: Then, turn to social services; would you suggest that health and social service, including the administration of old age pensions, be under one department of government instead of, as at the present time, having health administered by one department and the other affairs connected with Indian administration administered by the Indian Affairs Branch? I am asking you, would you suggest one department all under one head?

MR. REGINALD HILL: It would have advantages.

MR. REID: You do not find any difficulties yet, or any interference or any conflict between the various officials of the one department and the other; at present health is being looked after by one department and Indian Affairs looks after the rest of it. We have had some complaints of conflict and interference due to lack of cooperation between officials of one department and the other.

MR. JOSEPH HILL: There has been none, to my knowledge.

MR. REID: Then turn to page 3 of your brief, subsection (c) on education; do you mean there that the present pupil grant should be continued to assist high school pupils at any of the day schools?

Mr. JOSEPH HILL: That is correct.

Mr. REID: What do you mean by subsection (d); that required standings be reduced? What does that mean?

Mr. JOSEPH HILL: Mr. Chairman, that question was asked last night.

The CHAIRMAN: I did not get the question.

Mr. REID: I asked a question regarding subsection (d); that required standings be reduced, and then, (b) (g) an adequate supply of books be provided.

Mr. JOSEPH HILL: Yes.

Mr. REID: Then, on page 6; just what have you in mind in your recommendation in section 14:

Section 14 should be amended by adding thereto "and any property held by such Indian woman shall be sold by her within one year from her marriage and if not sold, to be purchased by the band or council of the band to which she belongs at a price to be determined in such manner as the band or council of the band may direct, based on reasonable prevailing values."

Mr. REGINALD HILL: The difficulty is this. There are one or two cases I have in mind where an Indian woman was married to a person outside of the Six Nations and still holds land and is making improvements on it although she actually has no legal right to remain on the property. Her only right is the right to the annuities or interest paid each year; and this suggested amendment would provide for her removal. Otherwise, you would get considerable encroachment by people who are no longer Six Nations remaining on the reserve.

Mr. CASTLEDEN: Do I understand from your brief that a good deal of the educational work on the reserve is carried on by Indian teachers?

Mr. JOSEPH HILL: That is correct.

Mr. CASTLEDEN: How many Indian teachers have you?

The CHAIRMAN: That has really been answered, Mr. Castleden; if you don't mind.

Mr. CASTLEDEN: Have you got a breakdown of the teachers in the various grades?

The CHAIRMAN: That has been answered.

Mr. CASTLEDEN: Have you technical schools on the reserve?

The CHAIRMAN: That has been answered.

Mr. CASTLEDEN: I think that is all I wanted, Mr. Chairman.

Mr. BRYCE: Have you any livestock on the reserve; you told us in your brief about the crops, could you tell us about the livestock, about how many head of cattle you would have; do you do principally cattle-raising, or is it mixed farming?

Mr. REGINALD HILL: I would say it is mixed farming. The figures fluctuate so rapidly that it would be difficult for me to give you anything reliable on that.

Mr. BRYCE: I just want an average figure, you know.

Mr. REGINALD HILL: Of course, we have horses, cattle, swine and poultry.

Mr. BRYCE: Do you produce much cream, or is it all beef cattle?

Mr. REGINALD HILL: We are largely dairy, and sell our cream almost entirely.

Mr. BRYCE: Have they said anything about trapping or fishing rights about which we have heard so much from other reserves?

The CHAIRMAN: I don't know.

Mr. BRYCE: Have you any problems regarding trapping and fishing; do you run up against licences by the provincial government?

Mr. REGINALD HILL: Fortunately we are not in a position where we are dependent on such for our maintenance.

Mr. BRYCE: You do not have any grievance that way?

Mr. REGINALD HILL: A few have been chased from fishing on the Grand river.

Mr. REID: Can you tell us why they were chased; were they being chased by the police or, do you think they were chased because they should not have been there; or, do you think they should not have been chased?

Mr. REGINALD HILL: That is strictly a legal problem and possibly Mr. Lickers would be better qualified to answer that.

Mr. BRYCE: I don't care about his views. I can get them any time. I want your views as representing the reserve.

Mr. REGINALD HILL: Actually there have been no complaints lodged with us or brought to our attention and our discussion.

Mr. FARQUHAR: Mr. Chairman, most of the questions that I was going to ask have been answered, but there are one or two that I would like to ask. You referred to voluntary enfranchisement. Do you know of any cases other than minors which you have mentioned where it has not been voluntary?

Mr. REGINALD HILL: I do not think there have been any compulsory enfranchisements on our reserve, but we resent feeling that the provision still exists there, and we are in the position of having something hanging over our heads by a thread, like the sword of Damocles, without knowing how long the thread is going to hold.

Mr. FARQUHAR: To what provisions do you refer?

Mr. REGINALD HILL: To the provisions of the existing Indian Act which were mentioned in our brief; that would be on page 9 of the brief, and refers to sections 110 to 114 of the Act.

Mr. REID: Section 110 deals with enfranchisement and the other sections deal with the disposal of land and Indian cemeteries.

Mr. FARQUHAR: I would like to have that cleared up.

Mr. LICKERS: Do you want to read subsection 14; that is the subsection which has reference to enfranchisement.

I am reading from subsection 14 of 110:

14. In respect of an Indian or Indians of any band who has not or have not made application for enfranchisement under this section or under section one hundred and fourteen of this Act, the Superintendent General (Minister) may appoint a board to consist of any judge of any superior court or any judge of any circuit, district or county court, an officer of the department and a member of the band to be selected by the band to which the Indian or Indians under investigation belongs or belong, or, failing the selection of such member for a period of thirty days after the date of notice having been given to the Council, the member shall be appointed by the Superintendent General (Minister), to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised.

Mr. FARQUHAR: Does not that apply where they have made application?

Mr. LICKERS: No.

Mr. FARQUHAR: You do not know of any cases where that has been put into effect?

Mr. REGINALD HILL: Not as far as the Six Nations are concerned.



Mr. FARQUHAR: You say that the ministerial appointment should be abolished in connection with appointing the agents. Do you know of any cases where agents have been appointed to your reserve by the department other than through the Civil Service Commission?

Mr. REGINALD HILL: No.

Mr. FARQUHAR: I wonder why you put that in your brief.

Mr. REGINALD HILL: Just what section are you referring to?

Mr. FARQUHAR: It says here that ministerial appointments should be abolished.

Mr. LICKERS: That applies to farm instructors.

Mr. FARQUHAR: Oh, does that apply to farm instructors? I thought in your remarks that you referred to the agents. You have not any knowledge where any agent has been appointed to your reserve in any other way than through the Civil Service Commission?

Mr. REGINALD HILL: We only have one, and that appointment, I think came through the Civil Service Commission.

Mr. CASE: Could I ask who prepared your brief?

Mr. REGINALD HILL: Yes, sir, a committee was named by the council, and we met weekly for some considerable length of time and formulated the brief that has been presented.

Mr. CASE: And when the brief was finally ready for presentation, whom did you consult? Did you consult members of the band or just have the council pass upon it?

Mr. JOSEPH HILL: We consulted just the council.

Mr. CASE: Now, are you gentlemen elected members on the reserve?

Mr. REGINALD HILL: With the exception of three of us who were merely appointed to come down here; the remaining three are members.

Mr. CASE: And when you gentlemen were appointed to come down here, who appointed you?

Mr. REGINALD HILL: The elective council.

Mr. CASE: So, your delegation at the moment does not recognize the hereditary chiefs' council?

Mr. REGINALD HILL: That is correct.

Mr. CASE: And would you say that that has led to considerable discord on the reserve?

Mr. REGINALD HILL: At the outset, I would say back in 1934, there was considerable discord when the new system was introduced.

Mr. CASE: But you think that situation has improved now, do you?

Mr. REGINALD HILL: We sincerely hope so.

Mr. CASE: That you are really accepted now, and you believe that as time goes on this will be accepted as the best democratic process?

Mr. REGINALD HILL: I sincerely hope that we will some day achieve unanimity.

Mr. CASE: Now, do you pay income tax on the money you earn on your reserve?

Mr. REGINALD HILL: No, we are exempt there. We pay income tax on money earned off the reserve.

Mr. CASE: When you ship your farm products or your dairy products—cream or milk—to an outside dairy you are dealing then between the reserve and the outside community; will you have to pay income tax on that money, or is that considered money earned on the reserve?

Mr. REGINALD HILL: That is considered money earned on the reserve.

Mr. CASE: Do you believe that the feeling is general that the whites enjoy advantages that you do not enjoy?

Mr. REGINALD HILL: I would say that feeling is quite general.

Mr. CASE: There is also a feeling that the Indians enjoy advantages that the white people do not enjoy.

Mr. REGINALD HILL: In other words, you envy us to some extent also?

Mr. CASE: We are in this position that we could not join in your process because someone would have to pay the taxes whereas you are in the happy position that your land is not subject to taxation and you are not subject to taxation on money you earn on your reserve, for income tax purposes. So that you can always step onto your farm and enjoy all the privileges you feel we enjoy.

Mr. REGINALD HILL: Let me answer that, sir. The taxes you pay are to a large extent entirely municipal taxes and are spent for the improvement of your own locality. We do not find it necessary to pay such taxes because by the sale of our lands we were fortunate enough to accumulate sufficient funds to pay for the running of our reserve. Outside of that one point we do pay the taxes that you pay, but we do not enjoy all of the advantages that you enjoy.

Mr. CASE: What advantages do you not enjoy, for instance?

Mr. REGINALD HILL: Old age pension.

Mr. CASE: That is one.

Mr. REGINALD HILL: The right to enjoy as a citizen the privilege to purchase liquor; mothers' allowances; securing of loans in banks. That last item makes it well nigh impossible for a young man to get started in any program. To get money he must work and by the time he accumulates sufficient money to start on any venture he is then too old to make a success of it.

Mr. CASE: Now, of course, you understand that the whites suffer from the same disability: a man cannot borrow money unless he can pledge securities. Now, in the main your securities cannot be attached. If your land could be attached or if your goods or chattels could be attached then there would be no reason why your credit would not be as good as the credit of a white man. You are immune from seizure.

Mr. REGINALD HILL: I appreciate that fact, and I feel that with the aid of the department plus the wise usage of the funds that we have that gap could be bridged.

Mr. CASE: If you are able to accumulate a bank account?

Mr. REGINALD HILL: Yes, that is correct.

Mr. CASE: And if you purchase a victory bond, as many have done, you could pledge that to borrow money on without question. In the main that is a disability which gives you a certain protection. The whites who have the advantage also pledge security, and their goods, etc., are subject to seizure and they are subject to being sued, and so on. Now, I am going to conclude by asking a question about liquor. You say that "Sections 126 to 137 should be deleted and the Indians should be governed by the liquor laws and regulations in each province and they should have the same rights and privileges of buying and consuming as the ordinary resident of the province in which each band is situated". Now' do you think it would be a good idea—and this suggestion was made by the Indian delegation from Saskatchewan—that a vote might be taken somewhat in a local option sense on the reserve? In other words, if there were three-fifths of the people on the reserve who thought that you should enjoy the privilege of purchasing liquor, it might be determined in that way rather than

determined in an arbitrary way if this committee were to say that you should have this right when maybe scores of your people might feel you should not have the right.

Mr. REGINALD HILL: That, I think, would be fair enough; but at the present moment there would be no point in conducting such a referendum because it would have no result; the privilege must come from this government. You could make that provision.

Mr. CASE: If that provision were made, not necessarily to establish sales outlets on the reserve but rather giving you the privilege of having liquor permits, permitting you to enjoy the advantage that your white brothers enjoy, how would that do?

Mr. REGINALD HILL: May I ask this question? There are certain areas that are under the control of the old Ontario Temperance Act. Now, are the residents living in those municipalities barred from purchasing liquor outside of the immediate locality by the decision of the majority of that community, or are they free to go outside of that community and purchase liquor? In other words, for the sake of argument say I wanted to purchase liquor, but the Six Nations had voted against giving me that right, would that automatically bar me from purchasing liquor outside the reserve?

Mr. CASE: On the reserve? In other words, would it be considered an advantage if when you are off the reserve there was no disability; that is to say, you could go to a beverage room or a cocktail lounge and enjoy a drink, but the vote would be whether you would have the privilege of taking liquor back on to the reserve or not?

Mr. REGINALD HILL: I can see a weakness if you could not take it back on the reserve. If you purchase a bottle of liquor you would have to consume it there and then.

Mr. FARQUHAR: How do the religious leaders feel about the removing of these liquor restrictions?

Mr. REGINALD HILL: I think you would get a division of opinion there as you would in any community, but I think the majority would think that prohibition failed in Ontario and in the United States, and I think it has its disadvantages among our own people.

Mr. FARQUHAR: You have not discussed that question with leaders of your churches?

Mr. REGINALD HILL: They were not on the committee.

Mr. FARQUHAR: I understand most of them are opposed to removing these restrictions?

Mr. REGINALD HILL: I think the leaders of your church in Ontario are likewise opposed to the establishment of bars and cocktail lounges.

Mr. CASE: I suppose what brought this matter to the fore was the fact that the Indian boys had that privilege while they served in the army. Do you suppose that was the reason?

Mr. REGINALD HILL: There is that feeling that there was a sharp line drawn. Our people were sent to serve overseas; in other words, to assume the responsibilities of citizens but in return they were not given all the privileges of citizenship. It seemed to us decidedly unfair. If we had the right to purchase liquor there is no guarantee we would; but we would like to feel that we could if we so desired.

Mr. FARQUHAR: You mentioned that the churches among the whites also think the same way. Is there any possibility that they might be right?



Mr. REGINALD HILL: There is always the possibility that the other side is correct.

Mr. REID: I have this question to ask: Is the asking for the removal of this bar due to the fact that the Indians themselves feel that they are placed in a rather inferior position, rather than that they are being denied liquor?

Mr. REGINALD HILL: I would say very definitely, no. There are ample supplies of liquor. It is not a question of obtaining liquor. Rather it is the inferior position in which this law places the Indian.

Mr. MATTHEWS: You mentioned the case of a young Indian wanting to start up in business for himself and that he could not go to the bank and get a line of credit as a white man can do. I want to ask you whether he could go to the band and get credit from the band, get certain advances of money, to start up in business?

Mr. REGINALD HILL: There was some provision made for loans, I believe, but I believe it is inadequate. Perhaps Mr. Hilton Hill could answer that question.

Mr. HILTON HILL: The old council of chiefs, some fifty years ago—

The CHAIRMAN: Will you just speak a little louder?

Mr. HILTON HILL: The old council of chiefs, some fifty years ago established a loan system on the Six Nations reserve whereby an Indian could borrow from band funds to an amount of \$500. That was entirely under the control of the Six Nations council. They had a standing committee of six chiefs from each tribe and they passed on those loans and I think the loan system worked very well. I do not think the council of the Six Nations lost very much money on that old system. Some years ago that privilege, for some reason, was taken away from them. I have known cases where the Six Nations would make application for a loan of \$500 and in ten days they would have the money in the office to pay their bills. Conditions have changed, and they can only get a loan of \$150, and the Six Nations council have nothing whatever to say. They have no committee to pass on the loan. They used to pass on it in the first instance and then I understand there is a set-up in the department of some kind and it may take from one to five years to pass on a loan. I know of one case in particular of a man who, when this loan was re-established, made application for a loan of \$150 and he said he wanted to reshingle his barn. That was in April. He wanted to have it ready to put his hay in. This is all under the new system. I understand the loan has not gone through yet and it is nearly five years ago and the barn stands uncovered to-day. The barn is rotting, with no roof on it.

Mr. MATTHEWS: This then was discontinued by the department and not by the band itself.

Mr. HILTON HILL: That is right.

Mr. MATTHEWS: About how long ago?

Mr. HILTON HILL: About five years ago.

Mr. MATTHEWS: Can you give any idea of the amount of the loans that were made and the amount of the losses resulting from those loans? Could you give it approximately?

Mr. HILTON HILL: Well I could not tell you that without going to the records.

Mr. MATTHEWS: Do you feel that the record was good?

Mr. HILTON HILL: Yes, absolutely. There was considerable improvement made on the Six Nations reserve with regard to buildings, fences, wells and so on. There were numerous wells sunk, fences built; barns and houses were also repaired. As you know, \$150 will not go very far to-day.

Mr. MATTHEWS: I want to ask the other witness some questions?

The CHAIRMAN: Mr. Reginald Hill.

Mr. MATTHEWS: Have you a post-office on your reserve?

Mr. REGINALD HILL: Yes, the post-office, two rural routes issue from there, and another place over at Hagersville.

Mr. MATTHEWS: Are these advertisements which are issued by the civil service commission posted in the post-office?

Mr. REGINALD HILL: You mean for a general competition? I have not noticed them.

Mr. MATTHEWS: You have not?

Mr. REGINALD HILL: Not in the post office.

Mr. MATTHEWS: Who is your postmaster?

Mr. REGINALD HILL: Major C. E. Styers.

Mr. BRYCE: Is he an Indian?

Mr. REGINALD HILL: Yes.

Mr. MATTHEWS: He is an Indian?

Mr. REGINALD HILL: Yes, sir.

Mr. MATTHEWS: I think those notices are sent to all other postmasters and I think I am correct in saying that they are supposed to be accepted and posted on the walls of the post-office so that all can see them. Now assuming that were done I want to ask this question. Have you any knowledge of qualified Indians who made application to the civil service for a position, or to write an examination in a competition for a position, who have been refused permission to enter the competition? I would like to get that straight.

Mr. REGINALD HILL: I know of no case where they were refused. I would like to qualify the answer and say that the majority of educated people, who would be interested, except for the teachers, have all been taken away from the reserve as there is no livelihood, no means of livelihood with the exception of farming. We have two graduates from O.A.C. on the reserve, and a third took a post in New Zealand. Our doctors are scattered throughout the United States. At the present time it is to their advantage to move there.

Mr. CASTLEDEN: Do you know of any cases where doctors have tried to get appointments on the reserve and were not allowed to do so?

Mr. REGINALD HILL: There was Doctor Jamieson, I believe.

The CHAIRMAN: I am sorry we cannot hear a thing.

Mr. CASTLEDEN: I was following up the question of whether he knew some doctor on the reserve who was unable to get appointed by the department to a position.

Mr. REGINALD HILL: My recollection was that a Doctor Jamieson made such an application.

Mr. MATTHEWS: You spoke of having two graduates of O.A.C. on the reserve, I presume they are Indians?

Mr. REGINALD HILL: Correct.

Mr. CASE: How many of your teachers are Indians?

Mr. REGINALD HILL: Pardon me, may I make a correction? Mr. Hill has just pointed out there are three graduates, one is a girl.

Mr. MACNICOL: Even better.

The CHAIRMAN: Mr. MacNicol, you came in late. Now you may have ten minutes.

Mr. MACNICOL: That will be all I need. My questions will be answered by yes or no. Is your agent an Indian?

The CHAIRMAN: We did not get your question.

Mr. MACNICOL: My first question is, is your present agent an Indian or a white man, on the Six Nations reserve?

Mr. REGINALD HILL: My answer was that he was not an Indian.

Mr. MACNICOL: Your answer was no. Has an Indian ever been an agent on the reserve?

Mr. REGINALD HILL: My answer again is in the negative.

Mr. MACNICOL: Would you recommend or favour that the agent be an Indian?

Mr. REGINALD HILL: I think there would be considerable satisfaction if such an appointment were made.

Mr. MACNICOL: I agree. And you would have many men who would be competent. I have one in mind, Mr. Martin, the magistrate in Toronto, and there may be a number of others, perhaps our counsel here, Mr. Lickers. He would be qualified to act as an Indian agent.

The CHAIRMAN: Perhaps he would not be anxious.

Mr. MACNICOL: Have you any fire protection on the agency?

Mr. REGINALD HILL: Fire fighting equipment?

Mr. MACNICOL: Yes.

Mr. REGINALD HILL: None whatever.

Mr. MACNICOL: And what about water supply, have you a water supply?

Mr. REGINALD HILL: There is no water supply whatever. There are numerous wells and that is the only available source.

Mr. MACNICOL: This reservation, Mr. Chairman, is perhaps the leading reserve in Canada and they should have both of these services I have asked about, that is fire protection and water-supply.

What is the present set-up in reference to education? I am not quite clear. You say you have a dozen schools, and is there one superintendent over the whole dozen schools?

Mr. REGINALD HILL: Mr. Joseph Hill is the supervising principal.

Mr. MACNICOL: Over all the schools? Someone said something yesterday about the council should have the power to expend without being beholden to anyone, funds up to \$1,000. What could they do with funds as small as \$1,000?

Mr. REGINALD HILL: The council, of their own accord placed that restriction. It is felt that if a larger sum were expended it perhaps might be wise to go into consultation with the department and possibly have a vote of the band or the department as to whether any large amount was being rightly expended.

Mr. MACNICOL: I agree, Mr. Chairman. I think this band should have that, and that a start should be made to give them the privilege of spending some of their own funds without restriction up to \$1,000 and we can see what happens. Somebody asked yesterday about a few minor taxes that you were not paying. What are those minor taxes?

Mr. REGINALD HILL: Well one is income tax. Where an individual is employed on the reserve and the income derived from such work.

Mr. MACNICOL: Income tax is the most vicious tax which I have to pay.

Mr. CASTLEDEN: I would be glad to join you in that.

Mr. MACNICOL: Another question in reference to education. Your brief has been fairly emphatic in favour of undenominational schools. Why is that?



Mr. REGINALD HILL: Well I think I will answer jointly. I will take one phase of it. We specified undenominational residential schools largely for the protection of those children whose parents still believe in the original teachings of our people. We feel that it is entirely unfair to take these children and expose them to a different religious training from that which their own parents followed. I do not think any of you who are Roman Catholics would consent to have your children sent to a Protestant school and likewise I think the Protestant parents would object to having their children sent to a Roman Catholic school. I therefore feel that it is only fair that those who believe in the so-called Long House religion should likewise have that same privilege.

Mr. MACNICOL: In other words you are in favour of the ordinary public schools?

Mr. REGINALD HILL: No, not entirely. I think there is still a place for the residential school providing it is divided from the church.

Mr. MACNICOL: Are there any Indians employed in the Indian agent's office at Brantford?

Mr. REGINALD HILL: At the present time there is only one.

Mr. MACNICOL: What is his service there?

Mr. REGINALD HILL: I believe he looks after land and estates.

Mr. MACNICOL: How many government employees are there in the Indian agent's office or the department of Indian Affairs for the whole reservation outside of teachers? I am speaking of stenographers and bookkeepers and so on.

Mr. LICKERS: There are six.

Mr. MACNICOL: Six.

Mr. REGINALD HILL: I am informed that it is six but Mr. Moses' appointment is not permanent.

Mr. MACNICOL: Is there any reason why all of those positions should not be occupied by the Indians?

Mr. REGINALD HILL: We feel that there is no reason.

Mr. MACNICOL: I agree. A number of times reference has been made in your brief to the expression "band or council". Are the two identical?

Mr. REGINALD HILL: There would be a difference. The band would imply the entire membership, in our case, the entire Six Nations people. The council would be the governing body.

Mr. MACNICOL: I will just read one of the clauses. Page 6, "Section 13 should be amended by deleting the words 'with the approval of the superintendent general' and substituting therefore 'band or council of the band'." My question is about the expression "band or council of the band". Do those mean the same thing, the band or council of the band?

Mr. REGINALD HILL: I would say that they do not mean the same thing. If the question was sufficiently weighty we would call upon the entire group for a decision. If it was not so serious then I think the elective council or the governing body of the reserve could make the decision.

Mr. MACNICOL: Well then at present apparently the superintendent general makes the decision but the brief suggests substituting for "superintendent general" the "band or council of the band".

Mr. REGINALD HILL: The words "with the approval of the superintendent general" would be deleted so that it would read "with the approval of the band or council of the band".

The CHAIRMAN: I am sorry, Mr. MacNicol, your ten minutes have expired.

Mr. MACNICOL: Well I have one or two more questions.

The CHAIRMAN: I have cut off the other members of the committee at the end of their ten minutes and I must be consistent.

Now, gentlemen, you may be excused. We appreciate your evidence very much but we will have to call on the other witnesses.

Mr. REGINALD HILL: I think I am safe in saying that I would be expressing the view of the delegates if I thanked you for the delightful manner in which you have dealt with our delegation.

The CHAIRMAN: On behalf of the members of the committee I want to express our appreciation to your delegation for the way you have handled your presentation. You have been very helpful to us and very cooperative. We appreciate it very much.

The next witnesses will be: Mr. Sam Lickers, Mr. William Smith, and Mr. Asa Hill. Will you gentlemen come forward please?

Mr. BLACKMORE: I suggest, Mr. Chairman, that we have our counsel, Mr. Lickers, question these gentlemen first and after that we can divide up the time.

The CHAIRMAN: The suggestion that we have is that Mr. Lickers examine the witnesses first and then the committee members will be allowed perhaps five minutes. Otherwise, as you know, we will not be able to get through. We have several others who must be examined. Is it agreed that the members shall have five minutes?

Agreed.

Mr. LICKERS: Now perhaps first I could get a clarification on the question of what the elective council are asking for in connection with improvements on the reserve?

Mr. SAM LICKERS: They are in accord with that.

The CHAIRMAN: You will have to speak a little bit louder.

Mr. LICKERS: Are you in accord with what they are asking for in connection with improvements to be made on the reserve?

Mr. SAM LICKERS: Yes, more or less. In the first part of our brief it reads "The status of the Six Nations; (a) Your committee is requested to clarify the status of the Six Nations for the following reasons. (b) The position of the Six Nations is unique in that, in the wording of the Haldimand Deed they were clearly named as 'allies' of the British, rather than subjects."

Then it says "(c) It is of the utmost importance that this point be cleared up by the committee, as being named as allies, would grant the said Six Nations certain rights and privileges which may not be granted to subjects, some of which may be outlined as follows:"

Mr. LICKERS: Would you agree then to stop at the end of the word "subjects" and agree with them as far as they go there giving only different reasons?

Mr. SAM LICKERS: Yes, to "allies". They have asked this committee to clarify the status of our people and that you do that before you go on to . . . what would I call it—

Mr. CASE: A review of the Act.

Mr. SAM LICKERS: On to a review of the Act. I believe I better give it another name because the fact is this, we are really dealing with the result. Before we can do that we have to determine the status of our people which you have not done and that is what the councillors have asked. How can you deal with the rest of their brief until you decide their status? That is the question they are asking and that is what we are asking. How can you do that? You really have got the cart before the horse.

Mr. LICKERS: You mean what this committee should try to do is to have the cart and the horse together.

Mr. SAM LICKERS: That is what they will have to do. They want this committee to make the point clear who these people are; who are we? That is what they are asking and you have not done that and unless you do that I cannot see how we can go on.

Mr. CASE: That is fair. We might as well dismiss this witness. He cannot go on until we clarify the Act and we cannot clarify the position to-day.

The CHAIRMAN: Is that agreeable to you? Could I have the consensus of opinion?

Mr. SMITH: The Six Nations "Iroquois" Confederacy have objected to the introduction of the Indian Act, using as a basis the strength of the Haldimand Deed and their unique position in Canada.

The CHAIRMAN: Sorry, we cannot hear you.

Mr. SMITH: The Six Nations confederacy have always objected to the imposition of the Indian Act upon the Six Nations due to their unique position as allies of the British crown. Their relationship is with the British crown and it is an international issue and cannot be a domestic issue at this time. Therefore it is not our desire to discuss any portion of the Indian Act, but we would be willing to answer any questions in relation to this matter or contention of the Six Nations on that subject.

Mr. CASTLEDEN: Our purpose is to revise the Indian Act.

Mr. SMITH: Yes.

The CHAIRMAN: That is our purpose, so I don't see where we will get to if that is your position.

Mr. CASTLEDEN: They do not recognize the Indian Act.

Mr. CASE: I think we have reached a stalemate in regard to this particular delegation. They are not going to recognize the Act, nor will they recognize our revision of the Act, because they say it is a matter which is international and cannot be settled domestically.

Mr. CASTLEDEN: I would like to point out, I think these gentlemen have a grievance with regard to their treaty. They feel that their treaties have not been lived up to and that the imposition of the Indian Act as a governing criterion, as a manner of governing the Six Nations, is not right because they claim under their treaties, the Haldimand treaty and the Simcoe treaty, they were granted the right to govern themselves and that those treaties have been set aside. I think this committee should hear their representations with regard to their particular situation.

The CHAIRMAN: We have heard their brief.

Mr. CASTLEDEN: I heard that yesterday, but they can still be questioned on it.

The CHAIRMAN: As I said, we have heard their brief, and now if we confine questioning to a period of five minutes for each member, if any members of the committee wish to ask questions on this particular matter that privilege will now be extended.

Mr. S. LICKERS: First of all, I would like to say—

The CHAIRMAN: Just a minute now. We have only an hour and twenty-five minutes left at our disposal provided there are enough here for a quorum this afternoon.

Mr. CASTLEDEN: How do you figure that, Mr. Chairman?

The CHAIRMAN: We have twenty-five minutes now until one o'clock, and then this afternoon we have between four and five. As you know, we must be out of this room by five o'clock.

Mr. FARQUHAR: And we have other delegations.



The CHAIRMAN: That is why I am suggesting we should get along and not have any speeches.

Mr. MacNICOL: One question, Mr. Chairman.

The CHAIRMAN: Just a minute, now, Mr. MacNicol. Shall we give Mr. Lickers from now to quarter to one. Mr. Lickers is going to ask some questions from now to quarter to one and then the members will be given five minutes each.

Mr. S. LICKERS: With regard to the status of the Six Nations reserve—

The CHAIRMAN: Let us settle this point once for all. Mr. Norman Lickers here is our counsel and he is the liaison officer between us and the Indians. The committee still govern who is going to ask questions. It is not up to the chairman. It was agreed that Mr. Lickers would ask questions first. That was agreed to this morning. It is now your intention to change that? If not, Mr. Lickers will proceed with his questions. It is not the chairman who is making these rules, it is the committee itself. It was agreed this morning that Mr. Lickers would ask questions first and that he would be given ample time in which to do so, but that the committee members would be limited.

The CHAIRMAN: All right, Mr. Lickers.

Mr. LICKERS: You want the status of the Six Nations clarified, is that correct?

Mr. S. LICKERS: That is it, and the council have that in their brief.

Mr. LICKERS: Would you also want a treaty?

Mr. S. LICKERS: Yes.

Mr. LICKERS: So then, in connection with the governing of the Six Nations reserve you want the hereditary council to be the governing body?

Mr. S. LICKERS: Let the people rule.

Mr. LICKERS: Yes, all right, you want the people to rule; and now, to clarify the situation as far as the Six Nations is concerned, would you be prepared to stand by a vote at the present time as to whether the reserve of the Six Nations—would you agree to a referendum on the Six Nations of all the people over twenty-one, to decide whether or not the elective council or the hereditary chiefs would rule?

Mr. SMITH: This Haldimand document (the Haldimand treaty) does not require either a referendum, or a minority or a majority.

The CHAIRMAN: Could you answer that question, yes or no?

Mr. SMITH: I would say, go by the Haldimand treaty.

The CHAIRMAN: Is that yes or no?

Mr. SMITH: It does not require either a minority or a majority.

Mr. LICKERS: You are not willing to risk a vote to determine what the people want?

Mr. SMITH: We know what the people want.

The CHAIRMAN: Would you answer the question yes or no. In the United States they have the same problem as we have here. Could you answer Mr. Lickers' question as to whether you would be willing to abide by the decision of a majority in a vote to be taken among the people on your reserve? Would you answer that question, yes or no. Did you say, yes you would; or no, you would not.

Mr. SMITH: I have not power to say that.

The CHAIRMAN: Would your partner (Mr. S. Lickers) say yes or no; without any responsibility to anybody else.

Mr. SMITH: Well, I would say no.

The CHAIRMAN: All right, that is final.

Have you any questions, Mr. Blackmore?

Mr. BLACKMORE: I would rather hear the Ontario members.

Mr. CHARLTON: Were any members of your delegation ever connected with the elected council?

Mr. SMITH: Yes.

Mr. CHARLTON: Which ones?

Mr. SMITH: Mr. Sam Lickers and myself.

Mr. CHARLTON: Well then, at one time 'apparently you were agreeable to the elective council, were you not?

Mr. SMITH: I went into the elected council when I was twenty-nine and I began at that time to study Indian affairs and I threw myself into Indian work as a service to our people. When I found I was on the wrong road I turned around and took the other path.

Mr. CHARLTON: You resigned from the council?

Mr. SMITH: No, I withdrew.

Mr. CHARLTON: You withdrew from the council?

Mr. SMITH: Yes, withdrew for seven years.

Mr. CHARLTON: You apparently feel there is much the same feeling now as there was at the time in 1924 when the council was set up; obviously so, or you would not have said "No" to the question asked you a few minutes ago.

Mr. SMITH: The gentleman said that I would be binding my people, and I stated that I had no authority to do that, then he asked me to give my personal answer, and going by the Haldimand treaty I say that it does not require a majority or a minority.

Mr. CHARLTON: Let me ask the question this way: do you feel that there are as many people in favour of the hereditary council now as there were back in 1924?

Mr. SMITH: A good deal more now. In fact, the great majority of our people are backing the hereditary council of the Six Nations.

Mr. CHARLTON: And still you would not care to say whether you would stand a vote on the Six Nations?

Mr. SMITH: That is not our type of government, by vote.

Mr. MACNICOL: I was going to ask, Mr. Chairman, what the result would be supposing the Six Nations Indians go back to the old system?

Mr. SMITH: It would remove a lot of discontent among our people, that would be one result; and with dissatisfaction we will never make any progress. Our reserve during the last twenty-five years has gone backward rather than forward.

Mr. MACNICOL: What result would that have on the government here?

Mr. SMITH: None. I might say, with the exception of improved roads.

Mr. CHARLTON: If you went back to the old way of doing it and you are opposed to the Indian Act, then what association would the Six Nations have with the government here at Ottawa?

Mr. SMITH: It never had any.

The CHAIRMAN: Will you address the chair, please? We cannot hear you.

Mr. SMITH: It never has had any legal association, there never has been any legal association between the Six Nations and the government of Canada. The whole thing is based on assumption.

Mr. CHARLTON: Well, then, in what way would you carry on the affairs of the reserves if you were not associated with the government here?

Mr. SMITH: We have our own government which ought to be quite capable of carrying on its affairs.

The CHAIRMAN: Mr. Bryce.

Mr. BRYCE: I do not know what to say or what to ask. This is quite a new situation for me, but I, in my humble way, have tried to do something for the Indians and if the Indians won't agree among themselves, what more can I do? I do not know even what to ask them. You have these gentlemen here and they are not prepared even to meet and have a vote. In a modern world like this people should be able to determine for themselves what they want to do, and the only way I know of doing that in a democratic set-up is by voting; and if your people will not agree to have a vote to agree among themselves I do not know whether I can help you.

Mr. S. LICKERS: Might I say this?

Mr. BRYCE: Yes.

Mr. S. LICKERS: Why didn't you take that attitude when the old hereditary system was put out for the elective system? Why didn't you take that attitude then? There wasn't a vote taken. Do you call that a democratic way of doing things? There was no vote taken. They were selected.

Mr. BRYCE: I am only one of those men, Scotsmen, who came here as an immigrant a number of years ago. The only things I ever knew about the Indians were the things I had read in the story books, and it is only in recent years that I have been connected with the Indians through the reserves in my constituency. So my knowledge of Indians goes back only a few years; so I had nothing to do with that.

Mr. S. LICKERS: That is what I say; if it didn't happen at that time, why should it happen now? A little history helps.

The CHAIRMAN: Mr. Farquhar.

Mr. FARQUHAR: I think these gentlemen understand that our function is to revise the Indian Act. They do not recognize the Act.

Mr. S. LICKERS: You have on your agenda about treaty Indians and all that stuff, haven't you?

Mr. FARQUHAR: Yes, but you do not recognize the work we are doing. I am just going to ask you this question; how many Indians do you represent?

Mr. S. LICKERS: I will be different from Smith, I would not be afraid to call a referendum. That is my opinion. To do that would be falling in line. Just like my taking your hat or you taking mine—you might find mine a bit bigger for you. But, supposing that happened and I came to you about it and you came to me about it and we said; here, let's have an arbitration about your hat. You agree. I get some of my friends to sit on the arbitration board—I would get your hat, wouldn't I? You bet your life.

Mr. SMITH: I would like to say that I am not afraid myself of a referendum or a vote. I can vouch for what the result will be; it will be definitely greatly in favour of the hereditary council.

The CHAIRMAN: You want to vary your previous answer? Your previous answer was, when I asked you—not speaking for those you represent here officially, but just speaking personally—I asked you would you personally favour a referendum or the taking of a vote and letting the majority rule; and your answer was, no. Do you want to change that now?

Mr. SMITH: No. I still stick to my answer; but I am stating that I am not afraid of the result. It is deviating from our principle of government.

Mr. BRYCE: Well, Mr. Smith, you can understand the position of the members of this committee.

Mr. SMITH: Yes.

Mr. BRYCE: We listen to you and we listen to the other fellow and we are trying to decide in the main how to make the Act better than it is, better than



it ever has been before. This is the writing of a new Magna Charta for the Indians, and we do want to do a good job; something that will excel anything that has ever been before; because I think most of the honourable gentlemen on this committee agree that the Indian has not had a square deal. We are neutral on it and we are all trying to do the best we can for everybody.

Mr. CASE: I just want to ask Mr. Smith a few questions. He appears to have some knowledge of the reserve and its progress. You say it has gone back during the last twenty-five years? Can you tell me what your population was twenty-five years ago?

Mr. SMITH: I was not referring to it in the matter of population. I think twenty-five years ago there would have been about 5,000 members approximately.

Mr. CASE: It has a relation to my question. I am not looking at it that way, either. I am looking at it from the standpoint of real progress. Twenty-five years ago how many schools did you have?

Mr. SMITH: I would say about eleven or twelve.

Mr. CASE: Not the same number as you have now?

Mr. SMITH: No, we have about sixteen now. Quite a few of them are double schools. The single-room schools were made into double school rooms.

Mr. CASE: A few moments ago your friend from the elective council gave us a review of the production on the reserve. You heard the information he gave?

Mr. SMITH: Yes.

Mr. CASE: How would that compare with twenty-five years ago? Did you produce more grain, livestock and all that sort of thing twenty-five years ago?

Mr. SMITH: I could not give you a definite answer in figures, but I can illustrate the section in which I live. My late father often said that when the threshing machine came into our section on any quarter lot, it took about two months to complete the threshing operation in the area. Nowadays it takes about two days.

The CHAIRMAN: Improved machinery.

Mr. CASE: That may be accounted for by the use of modern machinery, as far as that goes. I just want to get some idea of your appreciation of progress. You said that you lived on the reserve twenty-five years ago, didn't you? Would you say things have not improved?

Mr. SMITH: Well, that has definitely improved.

Mr. CASE: That has definitely improved; and, twenty-five years ago were your people receiving family allowances?

Mr. SMITH: I do not think family allowances were in then.

Mr. CASE: So that after all you must admit there has been some progress made in twenty-five years. The Six Nations is a noted reserve. We look to your people to give us a sense of leadership. In answer to Mr. MacNicol's question you said that there was no common bond between yourselves and the dominion government. You have said to us that you want separate autonomy. How are you going to tie in with some governing body? You are asking us to set up a separate state.

Mr. SMITH: I am not in a position to answer that question. Only the council of chiefs can answer that. History alone will answer that for you.

Mr. CASE: I know, but progress is a different thing; that is to say, it seems to me that you must be tied up with some central authority or some governing body. We would not think of a municipality setting itself up as a separate entity within the state.

Mr. SMITH: I might explain that this way; Canada itself has only approximately 11,000,000 people—

The CHAIRMAN: Twelve million.

Mr. SMITH: —which is considered a small nation in relation to population.

Mr. CASE: Yes.

Mr. SMITH: Would they tie themselves up with the United States or some other country like that just because it was larger?

Mr. CASE: No, we don't tie up, but we associate ourselves with them economically and so on and so forth. You made a statement here yesterday; you said, would we be willing to leave our affairs in the hands of thirty-five people—

Mr. SMITH: I refer to our future destiny.

Mr. CASE: —and reference was also made to the thirty-five members of this committee representing the people of Canada. True we do not all enjoy a majority of voters in the constituencies from which we come, but we were elected by a majority of the votes cast in our respective constituencies and we have the support of 300,000 people, or more, who voted for us. Not only are we the elected representatives of our constituencies, but on this committee are included members who come from as far west as Vancouver and Vancouver Island, and from as far east as the maritimes. What I am getting at is this; if you go back to the hereditary system, how would you pick out the one or two who are to form your council? Would they be selected on the basis of heredity, blood ties, irrespective of qualifications or educational standards?

Mr. SMITH: If the Six Nations desire to change that is up to them.

Mr. CASE: You heard your colleagues of the elective council say that they believe it is more acceptable to-day than it was in 1924, that there has been a change of feeling about it; you don't agree with that?

Mr. SMITH: No. In the figures that they presented yesterday they stated there were 571 votes cast.

Mr. CASE: Yes.

Mr. SMITH: Each voter had two votes, therefore that figure has to be cut in half to determine the number of voters.

Mr. FARQUHAR: I think we would be well advised to reconsider this question of coming under the revised Act.

Mr. CASE: You will have to have some governing authority. I don't want to be personal, but are you, Mr. Smith, yourself an Indian?

Mr. SMITH: My mother was Cayugan, and my father was a Mohawk.

Mr. CASE: You are then a full-blooded Indian?

Mr. SMITH: Yes.

Mr. CHARLTON: You are not a full-blooded Indian, are you?

Mr. SMITH: Well, I take it there is a lot of blood mixed in. In the other days when the Indians took prisoners and the Indian captives were released many of them refused to return to their own people and they intermarried with the Indians.

Mr. CASE: So that when you were on the elected council you retired, you were not defeated?

Mr. SMITH: Oh, no. I withdrew.

The CHAIRMAN: Mr. Lickers.

Mr. LICKERS: Supposing, I do not know what the committee is going to do, supposing they place your status as an ally of the British Crown, will you then be satisfied if the council or whatever the governing authority there was on the Six Nations reserve had, say, full powers the same as any other municipality in governing their local affairs; would you be agreeable to that?

Mr. SMITH: I think your question is complicated there in some manner. Did you say, if the council—?

Mr. LICKERS: Whatever council there was.

Mr. BLACKMORE: Let us assume it is the hereditary council.

Mr. LICKERS: If they were given full authority in connection with the governing of their own affairs. Supposing the committee says, it is all right, we will place you in position as allies and you set up your hereditary chiefs as the governing authority; would they then agree, say, to a referendum as to what the form of government should be; or would the hereditary chiefs say, here now, we have power and we will not grant a referendum?

Mr. SMITH: That would not be within my power to decide.

Mr. LICKERS: I am just trying to get your idea on it. We want to get this whole thing clarified because it is something which has resulted in a cleavage which has continued for some twenty-five years or so. I am just trying to get some basis on which we can work so that we can get both sides together again. Just give us your own frank opinion as to just what you think could be done.

Mr. S. LICKERS: If you restore us to our former state we could give you an answer, but now we cannot say very much about it. I was going to talk about mixed blood and all that stuff, there are not very many of us who are fully pure-blooded, and that goes for the whites too.

Mr. LICKERS: Haven't you worked out some plan by which you—I mean you are asking for your status to be clarified: then, supposing your status is clarified, what plan have you evolved by which you would get away from disagreement on the reserve?

Mr. SMITH: I think the thing could be worked out to the satisfaction of most parties.

Mr. LICKERS: How? Could you give us some idea as to how it can be worked out?

Mr. SMITH: I have not very much freedom to suggest, but I personally would favour an arbitration between them.

Mr. LICKERS: Would you not have a cleavage then as to those who wanted to come under the hereditary chiefs and those who wanted an elective council?

Mr. SMITH: You would have that in any country where you have minority parties.

Mr. S. LICKERS: I may say that has been tried. Charles Stewart in the west tried that thirty years ago. He suggested to the council having an arbitration board but he wanted to have it so that judges would be appointed. We would have to appoint a judge and the department and the government would appoint the other judge and then those two would appoint a third judge but that would not be arbitration, you know that.

Mr. CASE: You can decide on arbitration but you cannot decide on such a thing as this.

The CHAIRMAN: Would you be content if you named one judge, the elective council named a judge, and the Canadian government named one, would that be agreeable?

Mr. SMITH: No.

The CHAIRMAN: Well what is your form of arbitration?

Mr. SMITH: The Six Nations could name one and one could be made a representative of the Canadian and the Imperial government.

The CHAIRMAN: Who would nominate that man?

Mr. SMITH: That would be between those two parties.

The CHAIRMAN: You are talking about the Imperial government and the Canadian government?



Mr. SMITH: Yes.

The CHAIRMAN: The Six Nations would nominate one, the Canadian and Imperial governments would nominate one, and who is the third?

Mr. SMITH: Those two would have the privilege of appointing the third.

The CHAIRMAN: All right, the Six Nations would appoint one, the government of Great Britain and Canada would appoint another, and those two would appoint a third. Now is that agreeable?

Mr. SMITH: Well, as I have stated, I have no authority to say.

The CHAIRMAN: No, but we are discussing this around the table. Would that be agreeable to you personally?

Mr. SMITH: I think it would be fair.

The CHAIRMAN: Well you have made the suggestion so I presume that it is agreeable. Now that arbitration board would make its findings. Would you be content with those findings?

Mr. SMITH: I have not authority to answer that.

The CHAIRMAN: I am asking you personally, would you or would you not be content with that finding?

Mr. SMITH: I have not authority any more than you have.

The CHAIRMAN: I have absolute authority to say what I think.

Mr. BRYCE: As a member of the band would you be personally agreeable to that?

Mr. SMITH: No, I would prefer not to answer that.

Mr. CASE: As an individual, just giving your personal opinion, and not as a member of the band would you be satisfied? Let us suppose you are one of the individuals on the Six Nations reserve. This goes to arbitration. Will you, as an individual, be satisfied with the award and accept it?

Mr. SMITH: That would depend on how the thing went. Not the report, but I mean the committee.

The CHAIRMAN: I am afraid, Mr. Smith, we would have grave difficulty in coming to any satisfactory conclusions so far as you are concerned.

Mr. S. LICKERS: Before we are through, let me say one word. In a sense, as a committee of the parliament of Canada, is not your power limited by the British North America Act? Are not your powers curtailed by the British North America Act? Can you deal with foreign questions? You have a Governor General here. I would say if you have the authority which you are trying to show here—we are all asking only for that one thing, to have the status of our people determined. That is all we want, and that is all you would want, in our place.

The CHAIRMAN: My dear man, when you have already said you will not abide by the finding of the arbitration board unless that finding is favourable to yourselves—and that is what you have said—

Mr. SMITH: No one said that.

The CHAIRMAN: You said it depends entirely on how it goes.

Mr. SMITH: I said it depends on how the arbitration committee is formed.

The CHAIRMAN: I asked you specifically—members of the committee will bear me out and the official notes will also bear me out—whether you would be content to comply with what was decided upon.

Mr. SMITH: I said I could not give an answer to that.

The CHAIRMAN: That is not what you said.

Mr. SMITH: Oh yes, it is.

The CHAIRMAN: Then, will you answer the question now?

Mr. SMITH: No, that is something upon which I cannot give an answer.

The CHAIRMAN: Why can't you give an answer?

Mr. SMITH: I said it would depend on how this arbitration board is formed.

The CHAIRMAN: I am asking you, supposing it is formed, supposing it hears evidence and supposing it comes to a conclusion and makes findings; what would you do then?

Mr. SMITH: If I agreed to it, I would have to abide by it.

The CHAIRMAN: In other words, if the award met with your approval you would agree to it. If it did not meet with your approval, you would not abide by it.

Mr. SMITH: Not in the results.

The CHAIRMAN: I am talking solely about the results.

Mr. S. LICKERS: You must not forget this. Since the status of our people is as it is, what right have you got to appoint an arbitration committee?

The CHAIRMAN: My dear man, I am not appointing an arbitration committee. It was your suggestion, not my suggestion at all.

Mr. S. LICKERS: Arbitration could be undertaken by the interested parties.

The CHAIRMAN: There are none so blind as those who will not see.

Mr. S. LICKERS: If your powers are limited by the British North America Act, you cannot deal with the question; that is all there is to it.

The CHAIRMAN: We will meet at four o'clock providing there is nothing that interferes with that arrangement. We will sit until five o'clock and the next witness will be Chief Tom Roy. He will be followed by the other chiefs who are on the list.

The committee adjourned at 1.10 p.m. to meet again at 4.00 p.m.

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#### AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Gentlemen, we shall open the meeting. The first witness will be Chief Tom Roy. I am sorry to be late, but I thought the meeting would commence, in any event.

Mr. Farquhar, will you take the chair; I have been called out of the meeting for a moment.

At this point Mr. Farquhar took the chair.

The ACTING CHAIRMAN: Will you go ahead, Mr. Lickers?

Mr. LICKERS: Mr. Chairman, at this time, Mr. Roy would like to add to his submission clause 4 of the agreement between the province of Ontario and the Dominion Government which was dated April 16, 1894. It was an agreement concerning the natural resources and covers the land in the northwest angle. Mr. Roy desires to read this clause into the record.

The ACTING CHAIRMAN: Will you read that into the record, Mr. Roy?

#### Chief Tom Roy, Northwest Angle Indians, recalled:

The WITNESS: Yes. This will be in support of the clause I put in the record last year, in June. This is from Indian Treaties and Surrenders, Volume 3.

No. 4. That in case of all Indian Reserves so to be confirmed or hereafter selected. The waters within the lands laid out or to be laid out as Indian Reserves in the said territory, including the land covered with water lying between the projecting headlands of any lake or sheets of water, not wholly surrounded by an Indian Reserve or Reserves, shall be deemed to form part of such Reserve including islands wholly within such headlands and shall not be subject to the public common right of fishery by others than Indians of the Band to which the land belongs.

The ACTING CHAIRMAN: That is all you wish to read into the record?

The WITNESS: Yes.

*By Mr. Lickers:*

Q. Mr. Roy, you represent the Indians who are covered by the Northwest Angle Treaty?—A. Yes.

Q. What is the main occupation of the Indians in that territory?—A. Mostly fishing, hunting and trapping. In the summer, they act as guides. Not all of the Indians are guides, only those who have experience handle that job. They work for the tourist camps.

Q. What about hunting and fishing rights. Do they do that under licence from the provincial government?—A. Yes, they procure a licence from the provincial government to fish. I stated in my presentation yesterday just what the conditions are and the difficulties they have in their occupation of fishing. There are strict regulations against the Indians.

At this point Mr. Brown resumed the chair.

Q. Are those regulations enforced on the reserve?—A. On the reserve, yes. They are not enforced on the land, of course, but nearby the reserves we are not even allowed to set a net for our own use. These are the provincial regulations or restrictions.

Q. Do they have licences which cover a definite area for a particular Indian?—A. That is for the band, not an individual. On my reserve, it would be for a band of 36. It is the same thing for the two or three bands under treaty No. 3. The two bands of Shoal Lake Indians have one commercial fishing licence under the provincial game licence regulations. I do not know the actual number of members in those bands, but there would be about 40 members fishing on this one licence. The Assabaska band also have a commercial fishing licence. There would be about 30 families fishing on that licence. In my own band there are 36 families on the one licence.

Q. Is there a sufficient area covered by the licence so the Indians can make a fair return from the produce of the hunt?—A. No, there is nothing whatever on the reserve from which to make their living so far as hunting and fishing are concerned.

Q. I mean, the area covered by the commercial licence, is that large enough?—A. No, the acreage in the fishing grounds given to these bands of Indians is not sufficient to make a living. There are 36 families trying to make a living from it and it is the same size as the area given to one white man.

Q. Do you mean to say one white man will get an area the same size as that allotted to 33 Indians?—A. Yes, the same amount of water as a band of 36 Indians, 36 to 40.

Q. What would be the average income per Indian from the produce sold as a result of the commercial fishing?—A. Last year the whole band of 36—I just forget now, but it was around \$3,000.

Q. Around \$3,000 for the whole of the 33?—A. Not for all, some made an average of \$300 and some just barely made a living from it.

Q. Would you say that would be a fair average?—A. The fishing grounds are not sufficient to make a decent living from it.



Q. Would you say that \$300 is a fair income for a family from fishing?—

A. Yes, that would be the answer to that.

Q. What about hunting?—A. In the reserves, you mean?

Q. Yes.—A. Of course, there is no income from hunting on the reserves. That is for the Indians' own use, for food.

Q. Do the Indians receive any income at all from trapping and selling furs?—A. Very little.

Q. How much?—A. I would not be able to say.

Q. You could not give us an estimate of that?—A. No, I do not know.

Q. What about schools? Have you got sufficient schools out there?—A. We have only one Indian day school under treaty No. 3; that is, on our reserve.

Q. Are all the rest residential schools?—A. There are three residential schools, two Catholic schools and one Protestant school.

Q. What is your opinion as to whether you get better results from the day school or from the residential schools?—A. I think we would have better results from the day schools if we had good teachers.

Q. What about hospitalization? Have you got any hospitals?—A. Yes, not on the reserve. We have a part-time doctor, as I mentioned in the submission I made. He comes only once a year unless we call for him for emergencies.

Mr. LICKERS: That is all the questions I have.

The CHAIRMAN: Thank you very much. Gentlemen, we have 35 minutes left and we have five more witnesses. If it is your pleasure I am going to ask that this witness retire and that we permit the questioning to be done by Mr. Lickers and allow five minutes each.

Mr. CASE: Five minutes for each witness?

The CHAIRMAN: Yes.

Mr. CASE: I think that is a good idea.

*By Mr. Bryce:*

Q. I should like to ask this witness as to the fishing licence that he mentioned. Do you get that fishing licence from the government of the province of Ontario?—A. Yes.

Q. What do you pay for it?—A. \$40 a year.

Q. And any number of Indians can participate?—A. Yes.

Q. On that licence?—A. Yes, sir.

Q. But you are limited to a certain area?—A. The same amount of area as one white man.

Q. Can you tell me if you have applied for additional licences?—A. Yes, we have.

Q. And have you been refused?—A. We have been.

Q. Did the department give you any reason for refusing you?—A. You mean Indian Affairs?

Q. No.—A. The Department of Fisheries?

Q. The Department of Fisheries of Ontario.—A. There is a lot of tourist business around there, and they clamped down on these commercial fishing licences. They put a stop to it.

Q. So you have no opportunity?—A. No opportunity to procure additional licences.

Q. I do not want to get mixed up with the tourists coming in there. Are these white men who have these licenses tourists who are visiting the area on a fishing trip?—A. Yes, that is what I mean.

Q. You do not mean outfits fishing?—A. Not commercially, no; they are just fishing.

Q. I am glad I asked you that because I was not clear on that. Are there many children on the reserves you represent who are not getting an education and who should be getting one? We will say between the age of 7 and 15, something like that?—A. I do not think there are any.

The CHAIRMAN: Thank you very much, Mr. Roy. We appreciate your evidence very much. The next witness is Chief William Meawasige of the Manitoulin Island. If you have any others with you who would like to come forward we would appreciate it if they would take the stand now.

Mr. FARQUHAR: Gentlemen of the committee, I might introduce these gentlemen. Chief Meawasige is from Cutler in my constituency and Mr. Pelitier is from Wikwemikong reserve on Manitoulin Island, one of the largest reserves in my riding. They have already presented their brief. They are coming back for questioning.

Mr. LICKERS: On the Manitoulin Island what is the main occupation of the Indians?

Mr. PELITIER: On our reserve it is mostly farming.

Mr. LICKERS: Have they a farm instructor?

Mr. PELITIER: Now and again he will come around. There is not one there all the time but now and again he will come around. There have been several times we have had a man come around.

Mr. LICKERS: Can you tell me the average income the Indians earn from their farming?

Mr. PELTIER: No. I would have to make a rough guess on that.

Mr. CASE: Would you say they make a good living?

Mr. PELTIER: They make a good living, yes, sir.

Mr. LICKERS: They make a good living?

Mr. PELTIER: They make a fairly good living.

Mr. LICKERS: Is there any provision made by the band or by the department by which young people can get a piece of land and set up farming?

Mr. PELTIER: Not that I know of.

Mr. LICKERS: Has your band got any trust funds?

Mr. PELTIER: Band funds?

Mr. LICKERS: Yes.

Mr. PELTIER: Yes, they have.

Mr. LICKERS: Do they use the interest from the band funds to improve their reserve?

Mr. PELTIER: They do get loans from the band occasionally.

Mr. LICKERS: Do you know of any deserving Indians who have not been able to get loans?

Mr. PELTIER: No, sir.

Mr. LICKERS: Suppose an Indian wanted to borrow some money how would he go about doing it?

Mr. PELTIER: He would make an application to the band council for the loan. Then he has to put up his property for security for the loan.

Mr. LICKERS: Have they got sufficient land for everybody?

Mr. PELTIER: Yes, I think so. It is a big reserve. I think there is sufficient land.

The VICE-CHAIRMAN: (Mr. Matthews): A little louder, please.

Mr. LICKERS: Who gives final approval for the loans, the band or the department here at Ottawa?

Mr. PELTIER: The Indian Affairs Branch.

Mr. LICKERS: Does it take very long to put these loans through?

Mr. PELTIER: Not very long.

Mr. LICKERS: Are there any children on your reserve of school age who have not an opportunity to go to school?

Mr. PELTIER: I did not catch that,

Mr. LICKERS: Are there any children of school age who have no school to go to?

Mr. PELTIER: Yes, quite a few of them. I would say around 75.

Mr. LICKERS: About 75 children out of how many? How many children have you there of school age?

Mr. PELTIER: I would say there are about 75 who cannot go to any school on account of living too far away.

Mr. LICKERS: How many do go to school?

Mr. PELTIER: Pardon?

Mr. LICKERS: Do you know how many do go to school?

Mr. PELTIER: No, I could not say.

Mr. LICKERS: What sort of schools do you have? Do you have residential schools or day schools?

Mr. PELTIER: Day schools.

Mr. LICKERS: Are they denominational? Are they run by the church?

Mr. PELTIER: No, I do not think so.

Mr. LICKERS: And how far do these children who have no schools to go to live from the nearest school?

Mr. PELTIER: There is one portion of the reserve known as South Bay village. That would be about 16 miles from the village of Wikwemikong. There is no school down there at all. I would figure there are 25 children in that section of the reserve and they have no school.

Mr. LICKERS: Where they have schools are the schools over-crowded.

Mr. PELTIER: They are all day schools, not residential schools.

Mr. LICKERS: Are any of them over-crowded?

Mr. PELTIER: No.

Mr. LICKERS: So that these 25 children you speak of could be taken to the schools say by bus?

Mr. PELTIER: Yes, sir.

Mr. LICKERS: Sixteen miles?

Mr. PELTIER: Yes, sir.

Mr. LICKERS: Are there roads to be able to go by bus?

Mr. PELTIER: Yes, there is a fairly good road into South Bay.

Mr. LICKERS: Have the council asked the department to provide a bus or assist in providing a bus so that these children can go to school?

Mr. PELTIER: No, sir.

Mr. LITTLE: Do you not consider sixteen miles is too far even if they did have a bus?

Mr. PELTIER: Yes, it is too far.

Mr. CASE: Do any of your children go to the regular white schools?

Mr. PELTIER: No, they do not.



Mr. BRUNELLE: You spoke of a farm instructor. Does he come to your reserve when you invite him or does he come only when he sees fit?

Mr. PELTIER: It is quite a few years since he has been there, and I think he was called there by the Indian council.

Mr. BRUNELLE: He was invited.

Mr. PELTIER: Yes.

Mr. BRUNELLE: Does he usually come only when he is invited?

Mr. PELTIER: As far as I know.

Mr. FARQUHAR: I should like to ask Chief Meawasige if their trapping licences at Cutler are interfered with much?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: By the provincial authorities?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: Have any of the whites been given any of the traplines owned by the Indians in that section?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: Any in recent years?

Mr. MEAWASIGE: Yes.

The CHAIRMAN: Sorry, gentlemen, the time has expired for these witnesses. Do you mind, Mr. Farquhar?

The next witness is Henry Jackson.

Thank you very much, gentlemen; we appreciate your coming here. We will have more to say about that later.

### Mr. Henry Jackson, recalled:

*By Mr. Lickers:*

Q. You presented a rather full brief yesterday, Mr. Jackson. I have just a couple of questions to ask you. Are you in favour of having denominational schools or public schools?—A. Public schools.

Q. That is what you have now?—A. Yes.

Q. Have you got any residential schools in your reserve?—A. On Christian Island we have two schools, yes.

Q. Are they both church schools?—A. Yes. The teacher of the Protestant school is actually a preacher of the United Church.

Q. Have you any residential schools in that area at all?—A. No.

Q. I think you said the only Protestant school was a children's school?—A. Yes.

Q. Are there any children on your reserve who have no school to which to go?—A. Well, you see the village is so situated that we haven't very far to go, about half a mile or a mile.

Q. And they all have an opportunity of going to school?—A. Yes.

Q. Have any of them been able to go to high school there?—A. Yes.

Q. Do they get assistance from the department?—A. I believe they do.

Q. Now then, I do not think that you covered the question of the sale of liquor; are you in favour of the Indian being able to buy liquor?—A. From

my investigations into that subject in Ontario, and I have visited pretty near every reserve in the province of Ontario, except the small ones, it seems to me that the people would like to have liquor.

Mr. CASE: Did you say they would like to have liquor; or would they like to have the privilege of purchasing it the same as anyone else?

The WITNESS: The same as any other class of citizen.

*By Mr. Lickers:*

Q. Are there any farms on your reserve?—A. There are a few farms.

Q. Have you a farming instructor?—A. No.

Q. What about timber rights?—A. We have two islands opposite Christian Island which have timber on them and most of our livelihood is in the cutting of timber.

Q. Have you your own mill?—A. We have a sawmill, I should say we had a sawmill, but it was an out-of-date affair and we haven't got very good lumber, so we have not been getting the market price for our product.

Q. How much timber did you sell last year?—A. I would say about nearly a million feet.

Q. How much did you get for it?—A. I think we are getting \$25 for the maple, beech, birch and that type of timber; and then I believe that for the rest of it we got around \$10.

Q. Was that divided up among the people on the reserve?—A. No. Supposing I have a permit—I had a permit—and I go and get one or two to work with me and whatever we make that is our money.

Q. That is your own money?—A. Yes.

*By Mr. Farquhar:*

Q. Who sells your lumber?—A. We have to operate on the island in the winter time and we have to get a permit from the Indian department and on that form we put in the name of the buyer.

Mr. CASE: In other words, you sell by contract?

The WITNESS: Oh, yes.

The CHAIRMAN: I am very sorry, but that is all the time we have. Thank you very much.

Mr. Telford Adams, will you come forward please. Have you anyone with you, Mr. Adams; and I understand you represent the Indians from Walpole Island and Kettle Island.

Mr. BRYCE: Pardon me, Mr. Chairman; I think Mr. Little was under a little misapprehension about the questioning. He is particularly interested in this delegation and I think he wanted to ask some questions.

The CHAIRMAN: I am sorry, but that was the agreement concurred in by the committee, whether you like it or not.

Mr. BRYCE: We didn't start until after quarter past four.

The CHAIRMAN: I am sorry. I would be glad to give you five hours, if anyone wants to take it, and we can find a room in which we can carry on; but you all know that we must be out of this room by five o'clock.

Mr. MATTHEWS: I would suggest that Mr. Little be allowed to ask his questions.

Mr. BLACKMORE: We might hear Mr. Adams, and then if there is time after that you can recall Mr. Jackson.

The CHAIRMAN: Will Mr. Adams come forward, please.

**Mr. Telford Adams, recalled:**

Mr. BRYCE: The whole arrangement is rather unsatisfactory, Mr. Chairman.

The CHAIRMAN: I agree with you about its being absolutely unsatisfactory; but, what are we going to do about it? I have made it plain all the way through that we are on a time limit and we have already extended it by one hour.

*By Mr. Lickers:*

Q. Mr. Adams, you were to present a further brief?—A. I haven't got it at hand.

Q. I think you told us you were going to get out another one, a supplementary?—A. We will send it to you, if that is satisfactory.

Q. And you want it put on the record?—A. Yes.

Q. You have had some difficulty there in connection with the amalgamation of the reserves?—A. Yes, at Stoney Point.

Q. Has that not been satisfactorily fixed up yet?—A. Not to my knowledge. That is one of our complaints and we have been trying to get it settled.

Q. Do you want to tell us about that at the present time?—A. I gave an outline of that to you yesterday. Stoney Point, Kettle Island and Walpole are concerned. We take in twenty-five reserves there altogether, embracing some 2,200,000 acres of land held for our exclusive use and enjoyment. As far as Stoney Point is concerned, I read to you yesterday that they were asked to surrender that piece of ground and the government went in an undemocratic way about it.

Q. So what you want at the present time is a safeguard so that the council will have the full say in connection with the sale of their lands and the keeping of their lands?—A. It is the wish of these people of Kettle Point and of Stoney Point to demand the return of this reservation and to have the rent which is due paid to us, along with damages.

Q. Are there any children on your reserve or any reserves in southwestern Ontario for which you are speaking that have no school to go to?—A. Well in Kettle Point the senior class has not had a teacher since last June and I think it was only this last week that a teacher came.

Q. That is all the schooling that they have had during this term?—A. That is all.

The CHAIRMAN: There is a letter here from the Walpole Island Indians, signed by Wallace Soney, H. B. Williams, and Frank Blackburn. It states that Mr. Adams apparently was appointed by this committee to represent that reserve. I want to correct that. Mr. Adams was chosen because of his geographic location. We do not appoint any person to represent any group of persons. Groups of persons appoint their own representatives but what we had to do was to name somebody who could help us in our deliberations by explaining as accurately as possible the conditions in that area. With your permission I would like to file this letter from these people. I do not think it is necessary to put in the clipping of the *Windsor Star*. Is that agreed?

Agreed.



Hon. Don F. BROWN, M.P.  
Chairman of the Joint Committee,  
Senate and House of Commons,  
Ottawa, Ontario.

Hon. Sir: I am enclosing a clipping from the Windsor Star which was taken from an issue dated May 15, 1947. This clipping is self explanatory in so much that it states that Telford Adams an ex-chief of Sarnia Reserve has been named to represent several Reserves before the Parliamentary Committee at Ottawa.

One of the reserves mentioned is Walpole Island, and it is about this matter that I am writing; I as one of the elected councillors of the reserve, my other councillors have approached me, to state this matter before your honourable body, that the above mentioned does not represent Walpole Island, but merely represents that portion of the Reserve, affiliated with the North American Brotherhood, and making this statement as a member of the Walpole Island Amalgamated Band, that no General Council ever was called to deal with the matter of a representative to your Committee, and that therefore the claims set forth in the enclosed clipping are not true.

Dated May 20, 1947.

Signed,

Wallace SONEY  
Councillor

H. B. WILLIAMS  
Councillor

Frank BLACKBIRD  
Councillor

Mr. CASE: You heard Mr. Henry Jackson speak yesterday about the organization of the Indians of Ontario and he handed in a list of those members. Are you people members of the Union of Ontario Indians?

The WITNESS: Yes.

*By the Chairman:*

Q. What is the name of the man who is with you?—A. Walter Sands.

Q. Is he a member of the Union of Ontario Indians?—A. Yes he is.

Q. Thank you very much Mr. Adams, we will now have Chief Big Canoe.

Mr. CASTLEDEN: Is there not to be any questioning of these gentlemen?

The CHAIRMAN: What we had agreed on before you came in, Mr. Castleden, was that Mr. Lickers would put all the questions on behalf of the committee, in view of the fact that we have to be out of this room by 5.00 o'clock. We wanted a certain amount of questioning of all the remaining witnesses.

Mr. BRYCE: Is it really necessary that we be out of this room here at 5.00 o'clock?

The CHAIRMAN: It is necessary that we leave this room at 5.00 o'clock.

Mr. BRYCE: The next meeting that takes place in this room is at 6.10 p.m.

The CHAIRMAN: I am informed it is about 6.00 p.m.

Mr. BRYCE: 6.10 p.m. We could give these representatives the time to which they are entitled if we stayed until 5.30 p.m.

The CHAIRMAN: I am sorry but I have given my solemn undertaking that this committee will vacate this room at 5.00 p.m.

Mr. BRYCE: I move the motion that you go and tell them that we will not be out of here until 5.30 p.m.

The CHAIRMAN: I am sorry I cannot do that.

Mr. BRYCE: These witnesses cannot come here every day.

The CHAIRMAN: We should have thought of that when we were putting those useless questions. I am not referring to you, Mr. Bryce or to any individual, but there has been a lot of repetition and a lot of useless questioning.

Mr. BRYCE: You have to sift it down to find out whether you have any meat.

Mr. BLACKMORE: Could we not go on with the plan that we have undertaken and if there is some time left afterwards we can devote it to questioning.

Mr. CASTLEDEN: I only want to say this. There are 36,000 Indians in the province of Ontario and it is unfortunate that we cannot give them the time.

The CHAIRMAN: We have given them the equivalent of five days now.

Mr. CASTLEDEN: Pardon?

The CHAIRMAN: This is the fifth meeting we have had with these Indians from Ontario.

Mr. CASTLEDEN: In dealing with the other meetings which we have had, if you will allow me to continue, one of the principles was that all the Indians would be given a full opportunity to present their case to the committee, and the committee in turn was to be given full opportunity of questioning the Indians. I would like to suggest, Mr. Chairman, if possible at all, that we extend the hearings to some other time if we cannot get through today. We could extend it over until tomorrow or next week in order to see that the voice of the Indians from Ontario be heard properly by this committee.

Mr. CASE: I think that is all very fine and we are getting in a lot of evidence but I think Mr. Castleden we must all agree that we could stay here until doomsday and never have it all. All we can get is an outline. A lot of the reserves in Ontario have been visited and we are trying to do our best to give them an opportunity of saying what they wish but there is no limit to this. We could hear every Indian in Ontario.

Mr. BLACKMORE: Could we not get on with what we have already decided? We are wasting time here with talk.

The CHAIRMAN: The committee is the governor of its own actions.

Mr. BLACKMORE: I wish that Mr. Lickers would go on.

### **Telford Adams, called:**

*By Mr. Lickers:*

Q. Mr. Adams, you told me yesterday you would like to make some further remarks. Would you like to do that now or would you like to have me ask questions instead?—A. I would rather invite questions but there is a particular matter on treaty number 18 of volume 1.

Q. All right, go ahead and tell us about it.—A. I have no facts and I would like to make reference to the treaty to which we were a party on the 17th of October 1818. It is found in volume 1 of the "Treaties." There is a clause there under which our people were supposed to have been given £1,200 of currency in goods at the Montreal prices forever. We are not very clear on that and we hope to get it cleared up.

Q. What number treaty was that?—A. Volume 1, number 18.

Q. I suppose we could make a note of that and go into it.

The CHAIRMAN: The subcommittee on treaties could look into that.

Mr. CASTLEDEN: I think there is a copy of that in the library and I think he should be given an opportunity to read the clause in that treaty to which he refers. What is the number again?

The WITNESS: Volume 1, number 18.

Mr. FARQUHAR: Have you that on the record?

The CHAIRMAN: No. Have you any other statement you would like to make, Chief Big Canoe?

The WITNESS: There is another treaty that we would like to have reviewed. It was in 1923, with regard to fishing rights in the waters adjacent to our reserve. There has been a little trouble at times with the provincial game warden going in and taking a net, say within a mile or half a mile of the reserve. We are not very clear on whether we have any rights, or whether at the time of the treaty the waters adjacent to the reserve were surrendered. We want to know whether when the lands around the reserve were surrendered it included the waters adjacent to the reserve.

Mr. BLACKMORE: Could we have that treaty read now?

The WITNESS: Do you want me to read the whole thing?

*By the Chairman:*

Q. If you will address the chair we will know what is going on, otherwise it will be of no value.—A. It is at the bottom of the page.

Q. What are you reading from?—A. Treaty number 18, page 47.

Q. What volume?—A. Volume 1.

Q. Of what?

Mr. LICKERS: "Indian Treaties and Surrenders."

The CHAIRMAN: "Indian Treaties and Surrenders."

And the said William Claus, in behalf of His Majesty, does hereby promise and agree to pay to the said Nation of Indians inhabiting as above mentioned, yearly and every year for ever, the said sum of twelve hundred pounds currency in goods at the Montreal price, which sum the said Chiefs and Principal People parties hereunto acknowledge as a full consideration for the Lands hereby sold and conveyed to His Majesty.

Q. What you want is an accounting of that?—A. Yes.

Mr. HOEY: I may save a little discussion if I make this statement that that was capitalized later on by agreement and formed the present basis of the trust fund of your band. It is all on record.

*By Mr. Lickers:*

Q. When was that other treaty made?—A. I believe it is October and I believe it is 1923.

Q. And whom was that made between?—A. The Chippewas of the Georgian, Snake Island, Christian Island and Rama reserves.

Q. You want that matter looked into?—A. Yes.

*By Mr. Case:*

Q. Are you Indians members of the Ontario Union of Indians?—A. No, we are not.

*By Mr. Blackmore:*

Q. That was a dominion treaty to which reference was made in 1923?—A. Yes.

Q. An Indian department treaty?—A. Yes.

The CHAIRMAN: Thank you. Now, who is the next delegation?



**Mark Pine (Shingwauk) called:**

The WITNESS: I am accompanied by Chief William Pine. The tribal name is Shingwauk. And we are accompanied by Daniel Shingwauk and Fred Shingwauk.

*By the Chairman:*

Q. Apparently you were not here yesterday?—A. Yes, we were here yesterday.

Q. When I called your name you were not here.—A. That was last night. We did not know there was a meeting last night.

Q. Were you not here when the meeting adjourned at 6 o'clock?—A. We were here at 11 o'clock.

Q. Were you here at 4 o'clock in the afternoon?—A. No.

Q. Were you here at 1 o'clock when we adjourned?—A. Yes, today.

Q. No, yesterday at 1 o'clock?—A. No.

Q. Where did you go to; because we called you last night and would have been glad to give you an opportunity to present any material you wanted to present. You are not one of the delegates who have been named to attend this committee. Have you a brief to present?—A. I will place these things on the record.

The CHAIRMAN: I have sent a messenger to find out if there is some other room we can get in which to continue our meeting.

Mr. CASE: The chief has handed me some medals, and I would like to have him explain these medals because I am sure he does not want to leave them with us.

The WITNESS: I will pass the medals around to the members so they can see them.

The CHAIRMAN: The medals are all described on this sheet of paper here which will become part of our record. The chief has presented for inspection medals that are described here and we also have the credentials of these men and we have a brief from the Garden River band of the Ojibway tribe situated in the Garden River reserve, which is presented by the chief and council.

**THREE MEDALS IN POSSESSION OF CHIEF WILLIAM E. SHINGWAUK  
AND HIS BROTHER DANIEL SHINGWAUK OF THE GARDEN  
RIVER BAND OF OJIBWAY INDIANS, SAULT STE. MARIE.**

1. Issued by King George III to Chief Shingwauk. This represents the recognition by the Crown of services rendered to the English cause in the war of 1812. Chief Shingwauk's name is included in the list of "Renowned Chippewa Chiefs" who served in this war. The Indians have rested their confidence in the representation of an Indian head on the King's breast, which promises them that he has taken them under his protection and will provide for their needs.

2. *Queen Victoria*. This medal was struck in 1848 and issued to those members of the British Army who served in the long war of 1793-1814. The inscription on the rim of the medal shows that this medal was awarded to Chief Shingwaukonce for his military aid. The Indians have regarded this medal as a sign of the gratitude of the Great White Mother to her Indian children and her promise of protection and care.

3. This medal was issued to the Chief in 1860 after the signing of the Robinson Huron Treaty in 1850. It is a symbol of the promise of the Crown to fulfil the conditions of the Treaty.

GARDEN RIVER, ONT.

May 21st, 1947.

To whom it may concern:

This is to certify that William E. Shingwauk (Chief), Mark Shingwauk, Daniel Shingwauk, Frederick Shingwauk have been appointed delegates by the Chief and Council of the Garden River Reserve in session to appear before the Special Joint Committee on Indian Affairs.

Signed, WILLIAM E. SHINGWAUK,

Chief.

MARK SHINGWAUK

FRED SHINWAUK

BOB BELLEAU

THE INCORPORATED SYNOD OF THE DIOCESE OF ALGOMA  
SYNOD OFFICE

Rev Canon F. W. Colloton, B.A., B.D.,  
Secretary-Treasurer

SAULT STE. MARIE, ONTARIO,  
19th May, 1947.

To Whom it may Concern:

The bearers of this letter, Daniel Pine and Mark Pine, brother and son respectively of Chief William Pine of Garden River Indian Reserve, are visiting Ottawa in connection with the meeting of the Joint Committee of the Senate and the House of Commons appointed to consider the Indian Act.

They are direct descendants of Chief Shingwaukoons ("Little Pine"), who was Chief of the Ojibways early in the last century, and served with distinction in the defence of Canada in the War of 1812-14.

Any courtesies extended to them will be deeply appreciated by them and by the authorities of the Diocese of Algoma.

Fred W. Colloton,  
Secretary-Treasurer.

(4, 5, 6 pasted)

If it is your pleasure we will adjourn to room 497 immediately and continue our investigation.

The committee resumed in room 497.

The CHAIRMAN: Would it be in order to take this brief as presented, since these delegates are not official delegates? Then, we could let Mr. Lickers question the delegates. Is that agreeable?

Mr. CASE: Agreed.

BRIEFS OF THE GARDEN RIVER BAND OF THE OJIBWAY  
TRIBE SITUATED ON THE GARDEN RIVER RESERVE,  
ONTARIO.

PRESENTED BY THE CHIEF AND COUNCIL

*Delegates:* William E. Shingwauk, Chief; Mark Shingwauk, Daniel Shingwauk, Frederick Shingwauk, direct descendants of Chief Shingwaukoons, who signed the Robinson Treaty in 1850.

We the treaty members of the Garden River band of the Ojibway tribe having made a study of the Indian act together with the different treaties made with our forefathers, especially the Robinson treaty, do hereby present our findings.

We do not ask for the impossible. We ask only that truth and justice be accorded us in keeping with the feelings of God and humanity. In the words of the greatest Teacher who ever lived we ask that our white brothers will "Render unto Ceasar the things that are Ceasar's and unto God the things that are God's" and unto the Indian the things that are the rights and properties of the Indian.

*Part One. Treaties and Leases.*

There exists a feeling amongst us that our treaties are not being discharged by the government in the way they were meant to be. Our treaties were made in good faith but in various ways our privileges and rights have been encroached upon or set aside completely. Along with the treaty the case history should be studied. The purpose of the treaty was to promote progress. We should have full assurance by word and deed that our full rights will not be molested.

We would ask, therefore, that you consider the following points and incorporate them in your findings.

*Extracts from the Robinson Huron Treaty September 9, 1850.*

The parties of the second part also agree, that in the case the Government of this Province should before the date of this agreement have sold, or bargained to sell, any mining locations, or other property on the portions of the territory hereby reserved for their use; then and in that case, such sale, or promise of sale shall be perfected by the Government if the parties claiming it shall have fulfilled all the conditions upon which locations were made, and the amount accruing therefrom shall be paid to the tribe to whom the Reservation belongs.

The reservation at Garden River is the largest and perhaps of most value, but as it is occupied by the most numerous band of Indians, and from its locality (nine miles from the Sault) is likely to attract others to it, I think it was right to grant what they expressed a desire to retain. There are two mining locations at this place, which should not be finally disposed of unless by the full consent of Shinguacouse and his band; they are in the heart of the village and show no indications of mineral wealth, they are numbered 14 and 15 on the small map appended to Messrs. Anderson and Vidal's report. I pledged my word on the part of the Government that the sale of these locations should not be completed, and as the locatees have not, I believe, complied with the conditions of the Crowns Lands Department there can be no difficulty in cancelling the transaction.

(1) That there be a full investigation of leases on this reserve. Especially the Rankin location which was to be a tract of 196 acres and sold for 40 cents an acre in 1865 which was fifteen years after the signing of the Robinson treaty. This tract now embraces 4,000 acres which is being settled by white people. Why were we not paid for it? We feel that this extra acreage should revert to our reserve. At what time was Squirrel Island sold and to whom and for how much? Locations were leased to certain parties on conditions which specified the employment of Indians and therefore improvement of conditions on the reserve. In several instances the promises made by the lessee have never been fulfilled. Lands have been stripped of timber and left. Mills were burnt and abandoned. In this connection we have in mind the Marble Quarry, Victoria Mine and the Fry location.



(2) That the Gunshot treaty be recognized and a copy of it sent to each provincial game warden.

(3) That the Jay treaty be recognized and authorized copies be sent to immigration officials at border points.

(3) That there be enforcement of No. 34 of the Indian Act. The reserve was set aside for the use of the treaty Indian of the Garden River band. Here we have non-treaty and non-transmissible Indians and white people all availing themselves of the same privilege as to hunting, fishing, lumbering, small farms as should be allowed only to a treaty Indian.

4. We maintain that the only white people who should be allowed to reside on the reserve are the missionary or teacher and his family.

*Part Two. Education, Health and Welfare.*

(1) That there be an investigation of school buildings. Some are poorly lighted, heated and ventilated. Every school should have a basement where children could play on rainy days. It should have indoor toilets of the semi-flush type such as we see in the country schools around.

(2) Teachers should be fully qualified and should be required to submit themselves for periodic medical examination.

(3) The home conditions of the children should be studied so that children will be better fed, clothed and housed than at present. This is the foundation of education.

4. That vaccination and inoculation be made compulsory for every school child and all doctors should be forced, by law if necessary, to see that this is carried out.

5. No child should be allowed to attend school or mingle with other children if he has any communicable disease and more especially tuberculosis.

6. Hospitalization of tubercular patients should be compulsory and it should be the duty of the doctor and agent to enforce the law.

7. Indians should be allowed to choose their own doctor. We are in a position here where the doctor will not come when he is called. He holds his job and draws his salary whether he works or not. He has too many city patients who pay better therefore he has no time or patience for those of us who are sick.

8. There should be increased rations for aged or sick Indians. The weekly amount now given we find is quite inadequate to supply a menu for a failing or capricious appetite.

9. The teachers who dispense drugs should be given a course in first aid, medicine and home nursing. When we are sick we have to depend on the dispenser as the doctor will not visit.

10. Projects should be encouraged on the reserve. Tourist camps, snack bars, market gardening, small fruits, small factory, or sawmill. This reserve is admirably situated for any or all of these projects.

11. The land is suitable for farming only in small strips and areas. This would have to be done on a small scale and we would need help in the purchase of machinery, horses and some grade stock.

12. Encouragement should be given in the growing of a garden by each family. Grants to cover cost of seeds, and wire for fencing should be granted each family annually especially to a family where there are children. A community root cellar should be built where those who have no cellars could store their root crops.

13. Race prejudice must be eliminated. This would have to be done by the teachers and missionaries. In very few instances the teachers

and missionaries do not show any superiority over us. It is usual for them to encourage us to cultivate an inferiority complex in childhood which is hard to eradicate when we are older. More publicity should be given to the work being done on the reserves and the people should be encouraged to show a Christian attitude toward the Indian.

*Part Three. General.*

(1) There should be a changed status and attitude of the Indian agent. We know that the business between the Indians and the Crown must be transacted through an agent. We feel, however, that the position of agent here is more of a dictatorship rather than the agent of a department of a democratic government. At different times resolutions passed by our council have never reached Ottawa. Our chief and councillors should conduct the government of the reserve. They should have the say as to who should get relief, grants, loans instead of the agent. At the time of the making of the treaties our forefathers were considered capable of self-government. There should be more reason now, owing to years of education, why they should be capable of handling their own affairs.

The Indian agent should be a man who can prove that he knows the rudiments of farming. He should have a pleasing helpful personality and know how to get along with people. Above all he should be sympathetic to the Indian in his aims and aspirations to a place in life such as is enjoyed by his white brethren.

(2) We should have some way of presenting our grievances direct to Ottawa. When they are forwarded through the agent, which is now the law, they are not dealt with. If we do not get a square deal from the agent how can we report it if we have no recourse except to the agent himself. The system borders on tyranny of the middle ages.

(3) The department should make an annual financial report to our chief and council. We have no report or record of moneys collected in land dues, timber dues, or rent. And no report of money expended by the band; therefore we have no idea how we stand financially. The modern Indian is no longer a child. He knows that large companies and organizations have an auditing or an accounting once a year.

(4) Dues are being charged here where no government scaler is in evidence. Company scalers operate and no report is ever received as to the amount of dues collected by the Indian department. We believe we are entitled to know the results of this part of our business.

(5) Indian veterans should have the same privileges as white veterans. They were ready and willing to give their lives side by side with the white men therefore they should be given the same gratuities and favours as the white veteran with no strings attached as to loss of treaty rights, etc.

(6) The amount now paid to chief and councillors should be raised. If they were paid a little more it would be an incentive for them to spend more time attending to the affairs of the reserve.

(7) We would ask that the chief and councillors be allowed to choose their own reserve constable. At the present time the constable is a junior officer of the mounted police and appointed by the Civil Service. We have nothing to say as to his actions after he is appointed. We would ask for your consideration.

*By Mr. Lickers:*

Q. You come under the Robinson and Huron Treaties, do you?—A. Yes.

Q. I notice on page 2 of your brief you are asking for a full investigation of the leases on your reserve. How many leases have been signed without your

consent?—A. With regard to this particular location, shortly after the treaty was made in 1850, it seems there were 196 acres out of these 4,000 acres sold. Then, the balance of that, we have to-day. We own that particular portion.

Q. You want that particular question investigated?—A. Yes.

Q. What about the Gunshot treaty? When was that made?—A. Just a minute. There is another one connected with this, particularly the Fry location. The Fry location has been surrendered years ago, but on this particular point there is a white man has built a cottage, and we believe it is on the Indian reservation.

Q. Do you know this white man's name?—A. Mr. Chambers.

Q. You want that question looked into as well?—A. Yes.

Q. What about the Gunshot treaty? When was that?

Mr. DANIEL SHINGWAUK: We bring this up because we want our full rights. We are original treaty Indians. We want our rights and privileges according to our treaties.

Mr. LICKERS: That is your hunting and fishing privileges?

Mr. DANIEL SHINGWAUK: Yes. We have so many different members who were admitted into the band that it takes these privileges away from us.

Mr. LICKERS: Who admitted them into the band?

Mr. DANIEL SHINGWAUK: I do not know.

Mr. CASE: Are they Indians?

Mr. DANIEL SHINGWAUK: Half breeds. They are being brought in there not through the chief and council and members. I do not know how they are being brought in there. We want to find out.

Mr. LICKERS: Have you any trust funds with the government here?

Mr. DANIEL SHINGWAUK: Yes.

Mr. LICKERS: Do they share in them?

Mr. DANIEL SHINGWAUK: Yes, they are taking the largest share of that. The treaty Indian is being pretty nearly left out.

Mr. LICKERS: Have you a list of all the Indians who belonged to your band at the time the treaty was signed?

Mr. DANIEL SHINGWAUK: The original treaty was burned. Those medals went through the fire. They were burned, too. The home burned and our treaty was destroyed. We have those original members who belonged to the band at the time the treaties were made.

Mr. LICKERS: I am trying to find out how long ago it was that these people who have been put on the band membership were first put on?

Mr. DANIEL SHINGWAUK: That is since ten years.

Mr. LICKERS: The last ten years.

Mr. DANIEL SHINGWAUK: The last ten years.

Mr. LICKERS: Did any of those members at any time apply to the chief and council to be admitted?

Mr. DANIEL SHINGWAUK: No.

Mr. LICKERS: Who notified the chief and council they were members of the band? Who told you that?

Mr. DANIEL SHINGWAUK: After they got in the band we found out they were in the band.

Mr. LICKERS: Who told you that?

Mr. DANIEL SHINGWAUK: They had treaty cards. That is how we came to know that.



Mr. LICKERS: From where were the treaty cards issued?

Mr. DANIEL SHINGWAUK: The Indian office in Sault Ste. Marie.

Mr. LICKERS: The Indian office at Sault Ste. Marie?

Mr. DANIEL SHINGWAUK: Yes.

Mr. LICKERS: You have not yet given me the date of the Gunshot treaty. You say on page 2 of your brief:

"That the Gunshot treaty be recognized and a copy of it sent to each provincial game warden."

I want the date of that so that we can check it.

The CHAIRMAN: Can Mr. MacInnes help us there?

Mr. MACINNIS: We will have a copy of the book of Indian treaties and surrenders. It is volume one. As a matter of fact, I might say to the best of my knowledge the Gunshot treaty does not relate to this group. There is nothing on this hunting question in the Gunshot treaty. I think it is the Robinson treaty of which they are speaking. I think it is not the Gunshot treaty they have in mind.

Mr. LICKERS: They referred to it here and I am trying to get that information.

*By Mr. Lickers:*

Q. Have you the privilege of crossing over to the United States?—A. Yes, we have that privilege of going across and working there say at Ford's. Sometimes we have a little trouble going across or getting work over there. We have the full right to go back and forth and work over there.

Q. You claim that right under the Jay treaty, do you?—A. Yes, the Jay treaty.

Q. I guess you had better ask the defence league if you cannot get into their organization. Are there any children on your reserve who have no school to go to?—A. Not to my knowledge. We have two schools on the reserve, one an Anglican school and one a Catholic school. I could not give you the figures as to how many children are going to school, but what I was going to say is where we live it is six miles from the reserve. It is a reservation, but it is six miles away. There are only three or four families there and there are only four children that go to school. They have to walk three miles to a white school. That is all I know about the children. I believe the children all go to school. The schools are in the central part of the reservation.

Q. Are there many people on your reserve who still adhere to the old original beliefs?—A. Religion?

Q. Yes?—A. Yes, we all do. In fact, there are two groups of us there, Roman Catholic and Anglican, so we all believe in that faith that was taught us.

*By Mr. Case:*

Q. Your original faith?—A. Yes.

*By Mr. Lickers:*

Q. Do the parents object to sending their children to either one of the two schools?—A. To my understanding each denomination has its own day school so the two parties will not be mixed up. That is why there are two schools there.

Q. Would you rather have your schools under the church?—A. What I would like to see is school trustees and higher paid teachers, high class qualified teachers.

Q. How about taking the schools away from the church; do you want that?—A. I would not go into that very strong. I think the church is doing very good work, so far as my knowledge goes.

Q. You still want to have the church run them but you want higher quality teachers?—A. Yes. I would like for us to have better education for the children. I am right behind that one hundred per cent.

Q. Once they get out of the public school does the department help them to go to high school?—A. Not to my knowledge. This last summer I noticed that one of our boys started to go to high school. That was just this last summer. That is all I know that is going.

Q. Is the department helping him?—A. I do not know.

Q. So ther is only the one person on your reserve going to secondary school, high school?—A. To my knowledge.

Q. How many children have you got attending at the school?—A. That is pretty hard to say. There quite a few children, twenty-five or thirty.

Mr. CASE: How many families are there on your reserve?

The WITNESS: Oh, it is a big reserve.

Mr. BLACKMORE: Mr. Chairman, I am not sure that these people understood to what Mr. Lickers referred when he asked them about their native religion, whether they understood what he meant by the term he used, "aboriginal beliefs".

The WITNESS: You meant Indian religion?

Mr. LICKERS: Yes.

The WITNESS: No, we don't follow that.

Mr. LICKERS: Have you any people who belong to the Indian religion?

The WITNESS: No, we all belong to churches.

The CHAIRMAN: In other words, you are all Christians?

The WITNESS: Yes, we are all either Protestants or Catholics.

*By Mr. Lickers:*

Q. What about family allowance on your reserve? Is everybody getting that?—A. To the best of my knowledge they are.

Q. Does that help the attendance at school, do you know?—A. It helps a great deal in getting clothing, provisions and that sort of thing. That is pretty hard to get.

Q. Have you any doctors up there?—A. Yes, we are supposed to have a doctor but he doesn't come very often; we don't see him very much. We have a lot of trouble with our doctor. I had a case the day before I left. I tried to get a doctor for an old lady who is very sick and she didn't want to go to hospital. Between the three of us we tried to get the doctor to come up to Garden, and we brought him up to where I live—

The CHAIRMAN: Where do you live?

The WITNESS: Echo river, that is on the Indian reserve.

The CHAIRMAN: How far is it to the hospital?

The WITNESS: It is nine miles from Garden, and fifteen miles from where I live.

The CHAIRMAN: I mean, from where she was.

The WITNESS: Nine miles. The doctor did not respond and come down. He told us to take her to the hospital so that is where she landed, in hospital.

*By Mr. Farquhar:*

Q. You have no hospital on the reserve? That is the Soo hospital you would go to? What is the name of the doctor?—A. I don't know.

Q. Is he a full-time doctor for the Indians or a part-time doctor?

Mr. DANIEL SHINGWAUK: He is full time, as far as I know.

The CHAIRMAN: You only had 384 altogether, according to the 1944 census, on your reserve.

Mr. LICKERS: He is only a part-time doctor isn't he? On page 9 of your brief you say "he has too many city patients who pay better therefore he has not much time or patience for those of us who are sick." I assume he must be a part-time doctor.

The WITNESS: I can explain that. It costs a good bit of money for a poor Indian to take a bus and go down to the Soo to see the doctor; and if they have to stay there four or five hours to try and see the doctor—sometimes you have to go home without seeing him. I have had that experience myself. I went there a couple of times to see the doctor,—and you have so many white people who have appointments ahead of you that you have no time; and you have to pay for the bus; and if you miss the bus it costs you \$2.50 for a taxi to take you back home. That is the trouble we have with our doctor. The only time you can see a doctor is when you are in hospital and you have to take a bed there and stay there and you see a doctor in the morning, I suppose.

*By Mr. Lickers:*

Q. What do you do on your reserve to make a living?—A. Our living is mostly mixed; a little bit of farming, labour and lumbering.

Q. Have you got some timber on your reserve?—A. Yes.

Q. Does the band sell it?—A. We cut it individually. Each member gets a permit to cut so many logs. The number that we are allowed to cut is indicated on our permit and then we sell it to a buyer.

Q. And the individual gets the money for it?—A. Yes.

Mr. CASTLEDEN: I see on page 7 you have a reference to the fees being charged where no government scaler is in evidence: "Company scalers operate and no report is ever received as to the amount of dues collected by the Indian department. We believe we are entitled to know the results of this part of our business." Just what do you mean by that?

The WITNESS: It is quite true, if there are several buyers.

The CHAIRMAN: Buyers, or what?

The WITNESS: Buyers of our timber and lumber and so on. They come there on thier own and we believe that where we are paying dues we should have a government scaler in connection with that, so that he would make a direct report to the agent.

*By Mr. Castleden:*

Q. You say that is not reported to the band?—A. No.

Q. What happens to the money, as far as you are concerned?—A. I don't know. I do not know anything about the report or anything.

Mr. CASE: Do you make a pretty good living?

The WITNESS: Well, just ordinary labour, you know.

*By Mr. Lickers:*

Q. Are any of you members of the council?—A. Yes, I am a councilman.

Q. How long have you been on the council?—A. Sixteen years.

Q. Has the department ever sent an annual report to the council showing the amount of moneys that you have and the amount which is expended?—A. No, never to my knowledge.



Q. Have you ever asked for a financial statement of that kind?—A. Yes, we have.

Q. When was the last time you asked for it?—A. The first time I went into the council I tried to get one. We tried to get it when we first went there.

Q. When you say "we" whom do you mean?—A. Dan Shingwauk here and myself. He was also elected at that same time sixteen years ago. We were very young men at that time and, you might say, ambitious, so we thought we would investigate this question of finances and see how they stood, the band funds. We didn't get any results and we never found out right until to-day. I do not know how much we are getting. We don't know whether we have got \$1 or 15 cents. We don't know how much is being spent on such matters as relief or anything like that. We have no knowledge of that.

Q. And you say that you have been after that for the last sixteen years?—A. Yes.

*By Mr. Case:*

Q. Is your chief and council elected?—A. Yes.

Q. Are you members of the Ontario Union of Indians?—A. No.

Mr. CASTLEDEN: The Ontario union was only started last year.

Mr. CASE: I know. I just wanted to check the list handed in. On page 6 of your brief, clause 3, you say:—

There should be a changed status and attitude of the Indian agent. Are you a member of the council, Dan?

DANIEL SHINGWAUK: No. I mean that the Indian agent should have a little more relationship with the band. He is neglecting us. We do not see him and he does not forward the briefs and resolutions made by the council and he does not come down to see what we are doing. In the first place when he was first being appointed as Indian agent, Mr. Christenson was the man who was representing him.

Mr. BRYCE: May I ask how far away the agent lives from your reserve?

DANIEL SHINGWAUK: Nine miles.

Mr. BRYCE: And how often does he visit you in a year?

DANIEL SHINGWAUK: Once a year.

Mr. BRYCE: You do not see him every week?

DANIEL SHINGWAUK: There is a lot of people who would say they had never seen him except when he is walking along on the reserve.

Mr. BRYCE: I do not want you to think that he should visit you personally, but on your reserve do you see him every week?

DANIEL SHINGWAUK: No.

The CHAIRMAN: Of course he could be on your reserve and you would not see him, is that not a fact?

DANIEL SHINGWAUK: Yes.

Mr. LICKERS: Does he ever attend a council meeting?

DANIEL SHINGWAUK: Very seldom.

Mr. LICKERS: Have you ever complained to the department about that and if so what result did you get?

DANIEL SHINGWAUK: That is another thing. When you try to communicate with the department you do not get any answer when you go through the agent because I suppose that is as far as it goes.

The CHAIRMAN: Who is your member of parliament?

DANIEL SHINGWAUK: George Nixon.

The CHAIRMAN: Why do you not get hold of your member of parliament?

Mr. BLACKMORE: Did you ever try to get hold of your member of parliament?

DANIEL SHINGWAUK: I do not know.

The CHAIRMAN: Why I ask is because Mr. Farquhar, who is in the next constituency, and right next to your reserve has given evidence or at least made statements that he has had many representations from the reserves in his constituency and he has been able to get reasonable and fair response and action from the department.

Mr. FARQUHAR: I have always found the department very cooperative and I have worked with them a great deal. My Indians come to me very often and I think many of you gentlemen make a mistake that you do not contact your own member of parliament. He always has access to the department and I think you will find he will be cooperative so that you do not have to depend upon the agent to get information from the department.

The CHAIRMAN: Would you just speak in my direction so that the reporter can hear when you are making an answer. It will then be put on the record.

The WITNESS: I got a little mixed up which way I should talk.

The CHAIRMAN: We are discussing members of parliament.

The WITNESS: We did not know that. We always had to deal direct through the agent as is stated in the Indian Act. It says there in that section that we will have to deal through the agent and it never mentioned anything about the member of parliament, but I am glad to know that.

Mr. CASTLEDEN: They should have put it in the Act.

The CHAIRMAN: We are not trying to create any more work than the members now have but I am sure that if you will get in touch with your member on these things you will get action.

Mr. FARQUHAR: I think the agent will be very glad to cooperate as well.

*By Mr. Castleden:*

Q. I noticed you said you believe the chiefs and councillors should conduct the governing of the reservation. That is you feel you should have more say in the governing of the affairs of the reserve. Can you outline some of the things that you think the band could deal with for the betterment of the reserve?—A. We think we are capable of handling our own business in our own reserve among ourselves. We can transact our own business. We know the conditions of the people and what should be done and who we should have and so forth like that. I believe there would not be any mistake if chiefs and councillors have that much privilege of doing their own business and governing on the reserve. I think that would be one of the best things that ever happened.

*By Mr. Lickers:*

Q. Would you go so far as to say they should look after their own money as well?—A. We should get a report anyway and I would suggest that they have the privilege of looking after their own money by voting so much out. We would leave it up to the department so far but we would ask \$1,000 through the chief and the council and that could be used for any project.

Q. Would you want any safeguard on it so that they could not spend all of the money?—A. That would be up to the chief and the council and they would have to look after that.

Q. Would you want to put some check on them so that they could not spend all of the money in a short period of time?—A. We would leave that to the government.

Q. That is what I say, you would want some check as to how much money they could spend?—A. Yes.

Q. But they should have the authority to spend up to a certain amount?—A. Yes.

Q. And they have not got that now? Would you say that should be given to them each year?—A. No, no. Sometimes, take for instance road building—

Mr. CASE: If you had planned a project and passed it in the council you think the Indian Affairs Department should back you up?

The WITNESS: Yes.

*By Mr. Lickers:*

Q. I notice that here on page 7 "The Indian veterans should have the same privileges as the white veterans". Have they not got the same privileges there?

FREDERICK SHINGWAUK: It does not seem so. I put in for a grant not so very long ago. My business is very badly run down.

The CHAIRMAN: What business are you in?

FREDERICK SHINGWAUK: I am in farming. My fences are down. I have been away five years in the service and I had to pick up a little money and I put in for a grant and the Indian department turned it down.

Mr. FARQUHAR: Are you a returned man?

FREDERICK SHINGWAUK: Yes.

Mr. CASTLEDEN: Of two wars.

The CHAIRMAN: Were you overseas in this war?

FREDERICK SHINGWAUK: I was not overseas this time, I was in the veterans' guard.

The CHAIRMAN: You were overseas in the first war?

FREDERICK SHINGWAUK: Yes.

The CHAIRMAN: You were in the veterans' guard during the last war?

FREDERICK SHINGWAUK: Yes.

Mr. LICKERS: Have you applied for your re-establishment credit? Each veteran is allowed so much money, have you applied for that? Have you not got any money at all?

FREDERICK SHINGWAUK: Not a cent.

Mr. LICKERS: And you applied for some money to the department for the fences and they turned you down on it?

FREDERICK SHINGWAUK: Yes.

Mr. LICKERS: And how long ago did you do that?

FREDERICK SHINGWAUK: In April I think it was. I wanted to use this money to buy seed and stuff.

Mr. LICKERS: Did you apply to the Indian department or the Department of Veterans Affairs?

FREDERICK SHINGWAUK: The Indian department. When you go to the Legions they say go to the agent.

Mr. BRYCE: Did you apply to your agent?

FREDERICK SHINGWAUK: Yes.

Mr. BRYCE: Exactly what reason did the agent give you?

FREDERICK SHINGWAUK: He said "you are too much of a man, you are able to earn your own money".

The CHAIRMAN: I think the matter could be well left and investigated.

Mr. CASE: You have had your gratuities, your discharge gratuities? You say you have not got a cent but you have had some money?

FREDERICK SHINGWAUK: Yes, but I bought stock with that.



Mr. LICKERS: How much money did you get?

FREDERICK SHINGWAUK: \$490. I got close to \$1,000 altogether but I bought stock with that.

Mr. LICKERS: How much land do you own?

FREDERICK SHINGWAUK: At the present time I have almost twenty acres but where I am I could get all the land I want.

The CHAIRMAN: I think the matter could well be investigated. If you will, make a note of it, Mr. McEvoy; and perhaps you could do so as well, Mr. Hoey.

Mr. CASTLEDEN: On page 3 you say "We maintain that white people should not be allowed to reside on the reserve with the exception of the missionary, the teacher and his family". Do I understand from that that other white people are living on the reserve?

DANIEL SHINGWAUK: Yes, there are some white people.

Mr. CASE: How did the white people get on the reserve?

DANIEL SHINGWAUK: They just came in and they stayed.

Mr. CASTLEDEN: Without permission of the band?

DANIEL SHINGWAUK: Without permission of the band.

Mr. CASTLEDEN: What are they doing on there?

Mr. DANIEL SHINGWAUK: They are living there and they have a piece of land and they put in a garden. I suppose they are there to dodge around the taxes which they would have to pay outside.

Mr. BRYCE: How long have they been there?

Mr. DANIEL SHINGWAUK: Twenty-five years.

Mr. CASE: The witness speaks of dodging taxes. Now, may I tell you that if a white person is living on an Indian reserve and has land he has to pay taxes to the municipality. The Indians up our way rent their land but the municipality there seldom collects taxes, but they know that the land is rented to a white person.

Mr. LICKERS: Providing the reserve is in the municipality.

Mr. BLACKMORE: In order to get some idea of how we are going to use the remaining fifteen minutes, may I ask if we are going to spend it examining this gentleman?

The CHAIRMAN: Mr. Henry Jackson is here and Mr. Little, not recognizing that he was representing the Timagami reserve, wishes now to ask him some questions. If it is your pleasure I shall ask Mr. Jackson to come up now.

Mr. LITTLE: I might explain that Mr. Jackson has been chosen by the Timagami Indians to represent them here.

The CHAIRMAN: Are there any other Timagami Indians here?

Mr. LITTLE: Yes, but he is going to speak for them.

The CHAIRMAN: That being the case may I say to Chief Pine and his delegation that we appreciate their attending this committee and assisting us in this matter of the revision of the Indian Act. We want to make you feel sure that we will do everything in our power to relieve the situation so far as legislation is concerned. In due course we will come to the revision of the Act.

The WITNESS: I thank you and the members of the committee for the privilege of permitting us to present our views, and we hope and trust that the Lord will hear our plea.

The CHAIRMAN: Thank you very much, Mr. Pine. We will now call on Mr. Henry Jackson.

**Henry Jackson, recalled:**

The CHAIRMAN: There was a presentation made by Mr. Jackson in connection with the Tinagami reserve. That was made yesterday. Now, is there anything you would like to add to that, Mr. Jackson?

The WITNESS: Yes. In reference to game and trapping it has been very much curtailed on the Indians up in that region by the Ontario game laws. Now, I have here a letter that was written to our director, Mr. Hoey, from our legal adviser, Mr. Murdock. I believe that is already on file. I am referring to these people who have been arrested and fined, and one of them was fined \$54.50 and the other \$23.50 for being in possession of meat killed upon their own reservation. And they have asked me to put on record that they are very much aggrieved by the way they have been treated. The Indians up in that particular region are deriving their livelihood from game and fish, and any curtailment on their livelihood is a hardship and a distress to them. So we want to ask the committee for a recommendation to lift those restrictions against these Indians.

*By the Chairman:*

Q. Are they provincial regulations?—A. Yes.

Q. You have had advice from your lawyer Mr. Murdock?—A. Yes.

Q. Is he the same Mr. Murdock who has something to do with the North American Indian Brotherhood?—A. Yes.

Q. Are you all affiliated with the North American Indian Brotherhood?—A. Yes, the Ontario organization is affiliated.

Q. That is, the Union of Ontario Indians is affiliated with the North American Brotherhood?—A. Yes. We have the same aim and purpose. That is one of the points that I wish to bring out. I have already presented my brief on behalf of these people in regard to Austin Bay settlement. I was very brief in my presentation, and I would like to make a further explanation on the subject if I may be permitted to do so.

Mr. BLACKMORE: I should like to hear him speak further on this matter.

The CHAIRMAN: We have just five minutes left.

Mr. FARQUHAR: Mr. Little would like to ask some questions.

*By Mr. Little:*

Q. Mr. Jackson, do you have to have a provincial licence before you can trap on your own reserve?—A. Yes.

Q. I might explain that this Austin Bay, as I understand it, was owned by the Indians a number of years ago and they were moved from there to Bear Island?—A. Yes.

Q. I know I have written several letters in connection with this and I have been told that the department cannot deal with the provincial government. The dominion cannot make any arrangement with the provincial government to allow them to go back to Austin Bay. That has been the answer. They would like to go back to Austin Bay, their original ground. Is that your idea?—A. Yes, that is the attitude of the people there. Bear Island point is occupied by the Ontario forestry people—the best part of the point; and at the other end of that reserve is a settlement—I do not call it a reserve—has been occupied by the Hudson Bay Company, and in all those years they occupied that point they have cut all the firewood and everything that is worth while cutting. As I said yesterday, there is nothing but willows and thistles grown in that portion of the reserve, and there is only one little piece of ground where they can bury their dead. There is nothing there to grow. So they ask your serious consideration that this matter be fully investigated and if possible that they be given back their original reservation.

*By the Chairman:*

Q. Now, Mr. Jackson, you understand that as far as this committee is concerned we have no authority to do anything; all we can do is recommend to the department that certain things be done, or recommend to the government that certain things be done?—A. Exactly.

Q. Now, we will take your recommendation into consideration when we come to the revision of the Act. If there is anything we can do in connection with the revision of the Act which may relieve that situation we shall be glad to do it. In any event, the director of the Indian Affairs branch is here and probably he could make a note of that matter and have some action taken.

*By Mr. Little:*

Q. What are the conditions, as far as you know, as to how the people are looked after—the old people?—A. The old people out in that settlement are not looked after as they should be because the Indian agent lives in Sturgeon Falls, I believe, and that is pretty nearly 100 miles away from that reserve and it is very difficult for these people to get into communication with the agent should anything happen in the way of sickness. Of course, I believe there is a doctor residing in that community. I understand he went up there on his own hook and I do not think he has any pay, as I understand. He goes out to help the Indians. I understand he has recommended that a small hospital be erected in the community.

Q. It is true that the Indians there have never relinquished their right to Austin Bay?—A. It is true. There never was a treaty.

*By Mr. Lickers:*

Q. Just while you are on that point. Alec Paul is a member of that band?—A. Yes.

Mr. LICKERS: This is a letter signed by Mr. Paul and I should like to file that as an appendix to the minutes.

The CHAIRMAN: If that is agreeable to the members of the committee, it will form a part of the minutes. (Appendix FL.)

*By Mr. Little:*

Q. Can you tell me how long it is since the Indians occupied Austin Bay?—A. Mr. Paul is around 80 years of age, and his father and his grandfather before him had occupied Austin Bay.

Q. That is my understanding, too.

The CHAIRMAN: If that is all, Mr. Jackson,—

Mr. LITTLE: I think this committee should recommend to the government that something be done for these Indians.

Mr. BLACKMORE: Are we to understand that the Ontario government removed these Indians from Austin Bay?

Mr. PATRICK: The Ontario government refused to grant a reserve after the survey was made because there was no provision for it in the treaty.

Mr. BLACKMORE: They refused to grant what reserve?

Mr. PATRICK: The Timagami reserve, not the Bear Island.

Mr. BLACKMORE: Because there is no provision in what treaty?

Mr. PATRICK: In the Robinson and Huron Treaties.

Mr. BLACKMORE: When were they signed?

Mr. PATRICK: 1850.

Mr. LICKERS: That is because this particular band were not—



Mr. PATRICK: Were not represented. There were 17 reserves set apart under the Robinson and Huron treaties, and the Timagami band is not on the schedule of reserves. The reserve we proposed to set up for them was numbered 18 in the negotiations with the Ontario government, but we were unable to get title to the reserve for the Timagamis.

Mr. LICKERS: Yet the land which they occupied was land within the treaty?

Mr. PATRICK: Yes.

Mr. CASTLEDEN: Has the department tried to move these Indians or give them another reserve?

Mr. PATRICK: There was not another reserve to be had in that part of the country.

The CHAIRMAN: Are they not now on a reserve?

Mr. PATRICK: They are on Bear Island.

The CHAIRMAN: It would not be considered to be a reserve?

Mr. PATRICK: Not that to which they are entitled under the treaty.

Mr. BLACKMORE: Has the department attempted to buy a stretch of land?

Mr. PATRICK: There has been much correspondence about this matter over a long period of years.

Mr. BLACKMORE: How many Indians are affected by this condition?

The WITNESS: About 120.

The CHAIRMAN: Mr. Jackson, we appreciate very much your coming here.

The WITNESS: Thank you very much for giving me that privilege because I know there are things that need to be done.

The CHAIRMAN: As to those who have come from Ontario on behalf of this committee I want to say we appreciate very much not only the delegates but all of those who have come to listen and take part in the deliberations of this committee. As you probably know Ontario has the largest Indian population of any province in the Dominion of Canada. It is regrettable that we have not all the time necessary to hear everybody. As you can realize probably every Indian in the province of Ontario, and for that matter in the Dominion of Canada, would like to appear before this committee to give evidence and present his views.

What we are trying to do is to revise the Indian Act in such a way that it may help the Indians to help themselves, if that can be done by legislation. It is regrettable that we have not all the time that might seem to be needed to hear everybody as fully as he would like to be heard, but that is one of the things with which we must contend. It is impossible. Members of parliament have many other duties besides the work of this committee, and we do not have the time to hear everybody who would like to be heard.

From the delegates who come here we can only get the main thoughts and ideas they may have to contribute to this committee. We have done the best we could with the time at our disposal. As a matter of fact, usually the committee devotes two hours in any one day to any one subject. That, of course, is considered to be one session. We have devoted five sessions to the Indians of Ontario which is the equivalent to five days' work. Unfortunately that is all the time we have left. I think that is about the maximum that we have allowed to any one province. I am informed that Saskatchewan also had five sessions.

If there are other briefs that you think would be of help to us in our deliberations leading to the revision of the Act I think you would be quite at liberty to file those with our clerk within the next few days. If there is nothing further

the meeting will be adjourned. The committee will convene again on Tuesday, the 27th of May at 11 a.m. in room 277. The Roman Catholic Church delegation will be here to present a brief and make its presentation.

The committee adjourned at 6.05 p.m. to meet again on Tuesday, May 27, 1947, at 11 o'clock a.m.

## LIST OF APPENDICES

### Copy

- Appendix FK—Report re Mohawk Institute, given at Local Council of Women, Brantford, Ontario, 1946.
- Appendix FL—Letter from Alex. Paul, Temagami Indian Reserve.
- Appendix FM—Submission from Unceded Band, Manitoulin Island.
- Appendix FN—Brief from Big Trout Lake Band, Ontario.
- Appendix FO—Sarnia Indian Reserve, dated August 9, 1946.
- Appendix FP—Submission by Lac Seul Band, Ontario.
- Appendix FQ—Brief from members of Couchiching Reserve, Rainy Lake, Ontario.
- Appendix FR—Brief from The Progressive Association of the Chippewas, direct descendants of the Chiefs and Principal Men who signed Treaty of 1827.
- Appendix FS—Brief from Chippewas of Sarnia, dated January 13, 1947.
- Appendix FT—Brief from Chief and Councillors, Chippewa Indians, of the Thames, Caradoc Reserve, Ontario.
- Appendix FU—Brief from Chief, Councillors and members of Nipissing Band, Ontario.
- Appendix FV—Brief from Chief and Councillors, Georgina Island, Ontario.

## APPENDIX FK

Mrs. G. R. WILLOUGHBY  
173 Sheridan St.,  
Brantford.

Reports *re* Mohawk Institute given at Local Council of Women meeting in Brantford January-February 1946.

### Explanation:

After a thorough examination by myself and other officers of the Local Council of Women a full and comprehensive report of conditions existing at the Mohawk Institute was made to the Council Jan. 25/46.

Following this meeting, Miss Milne, Convenor of Health, and myself as Convenor of Education, were asked to meet Mrs. Zimmerman and determine the specific and immediate needs of the children.

Reports on these needs were read by Miss Milne and me at a meeting of the Council Feb. 15/46.

A special meeting was called Feb 21 in order that Ross MacDonald, M.P., might hear these reports.

As a direct result of this meeting another special meeting was called for Feb. 26/46 at which Mr. Phelan attended.

The following condensed report of the original report is the one read at the meeting attended by Mr. Phelan.

### Findings:

1. Any Indian child may attend the Institute, though of late years only the more destitute have gone.



2. There is accommodation for 140 children. At present there is in the neighborhood of 120. If there is need the children may be taken when 3 or 4 years old and kept until they are 16-18.

3. When the children leave the school they go back to relatives; or employment is found for them, if possible.

4. There are 2 teachers of elementary subjects. Recently a young man has been added to the staff as boys master. As far as I could ascertain he does no teaching, but acts as boys supervisor. He lives out.

5. There are 2 classrooms.

6. The teachers salaries compare favourably with rural teachers salaries. They have the proper certificates and are inspected by the rural School Inspector.

7. The children attend school one-half day.

8. High school work is not taught.

9. There is no sports master or mistress.

10. There is no Household Science teacher.

11. There is no Manual Training teacher.

12. There is no proper library nor steady flow of good reading material.

13. There is no study room.

14. There is no warm, equipped recreation room.

15. The classroom equipment is poor.

16. There is very little—if any—music taught.

17. Very few go on to High School because they are not well enough trained to enter when they should.

18. Indians are not appointed as teachers, in spite of the fact that there are many from the Reserve well trained and suited for such positions.

#### Recommendations:

1. The addition of highly trained domestic science teacher to the staff so that young girls might receive training in home making, child training, home nursing and kindred subjects. In other words, the girls to be fitted for good homemakers and in the case of those not going on to High School would be much in demand as home aides, or domestic workers.

2. The addition of highly trained instructors for the boys so that they might be taught woodwork, handicrafts, good farming methods and the basic principles of trades—again with the thought in mind of fitting the boys to make a living.

3. The addition of music and art teachers to the staff.

4. The installation of physical education facilities, a recreation room and *proper supervision* of such.

5. The addition of a well equipped library.

6. The addition of a quiet supervised study room.

7. The addition of proper classroom equipment. NOTE: A large staff would provide the proper supervision which is sadly lacking at work, play, during meals and in the dormitories.

NOTE: Because of certain statements and implications made by Mr. Phelan in a most insulting manner at the conclusion of this report, I and others, reported verbally much more that had been learned about the Institute. Mr. Ross MacDonald asked me to put some of these verbal statements in writing.

LETTER TO MR. ROSS MACDONALD, M.P.

Feb. 26/46.

Dear Sir: You asked me to make in writing the same clarifying statements regarding the clothing requirements for the Mohawk Institute as I gave verbally at the meeting of the Local Council of Women at the Red Cross Headquarters on Tuesday, Feb. 26.

This statement would have appeared in my first report, but at that time I did not wish to implicate Mrs. Zimmerman, as I thought it might react unfavourably to her and this I hesitated to do. In the light of recent revelations I think I need not worry. Has as much honesty been used when speaking to Mr. Phelan as was used to the L.C.W. when financial help was expected from us, I think much misunderstanding would have been avoided.

As the President of the L.C.W., Mrs. George T. Cockshutt stated, we only went to the Institute after we heard that help was needed. We had in mind the furnishing of a recreational room from furniture returned to us from service rooms that we had furnished at No. 20 I.B.T.

However, among our members were several highly trained women who could see at a glance, or by very little questioning, what a layman might never see, and what has evidently escaped the notice of the Department investigator for the past several years.

On the first visit, and a following visit were:

- (a) Three former teachers, one of whom had specialized in domestic science and one in child psychology.
- (b) A trained nurse who is also matron of a childrens' institution.
- (c) The Chairman of the Board of the Victorian Order of Nurses.
- (d) A member for over 20 years of the House Committee of the local Childrens Aid Society.
- (e) Two graduates of MacDonald Institute.
- (f) Several former business women.
- (g) Three child and family Welfare workers.

From these visits and subsequent reports it was obvious that the immediate need, and the one in which the L. C. W. could give the most aid was Children's clothing.

With this in mind, Miss Margaret Milne, Convenor of Health, and the writer—Mrs. George F. Willoughby, Convenor of Education, were appointed at a Council meeting on Jan. 25/46 to go out to the Institute and confer with Mrs. Zimmerman. We went out by appointment on Jan. 31 and were graciously received by Mrs. Zimmerman. Mr. Zimmerman was not present at this meeting as he was convalescing from an illness. We saw him in the hallway and I feel sure he was fully aware of the purpose of our visit.

We told Mrs. Zimmerman that we had come out to find how best we could help them in the matter of clothing. She answered that she was glad that we had come about clothing—that both she and Mr. Zimmerman had hoped that we could offer to help in that way. Explaining that we had no idea yet how much help we could obtain, nor whether it would come in the form of work or money, we asked her what the children needed. The following is the complete list as given to us that day by Mrs. Zimmerman.

For 57 boys:

Hand knit heavy long socks

Dress trousers

Oxfords

Shirts (for good wear)

House slippers (when the boys remove their heavy boots at night downstairs they go upstairs in their bare feet and remain thus until bedtime)

Night shirts (2 apiece)

Wash trousers for summer

Overcoats (for both boys and girls).

For 63 girls:

2 tunics

3 blouses

2 slips apiece

2 bloomers

2 skirts

Night gown (one each—the girls generally come with one night gown from home)

Dresses for summer

Shoes

Socks

Blazer

Sweater

Bedding (urgent)

Sheets

Pillow slips

Quilts

Blankets (preferable to quilts)

Bedspreads (not urgent)

Mattress ticking (to be filled with fresh straw which could be burned *when necessary*).

Miscellaneous:

Towels

Wash cloths

Table cloths

Tea towels.

On that same visit we asked if the girls were taught sewing and knitting, having in mind the great need for these accomplishments for the future and the present need for them in the school in the re-making of old clothing and the making of new. Mrs. Zimmerman told us that the girls could mend and darn beautifully but could do no knitting or fine sewing. In fact, she said, "they could not even turn up a hem on their own skirts."

We asked that if we could get some qualified person to volunteer to give classes in sewing and knitting would such a person be welcomed.

The idea was apparently new to Mrs. Zimmerman, but after thinking it over she said "Yes" and we discussed a room for such teaching. However, she would make no final decision on this matter until she had spoken with Mr. Zimmerman.

The morning of our next Council Meeting, which was Feb. 15th, I called Mrs. Zimmerman to find out what decision had been reached regarding a sewing and knitting instructress. She said that she and Mr. Zimmerman thought it would be quite feasible, and to go ahead with it; but as he was right there in the room she would speak to him again about it. She turned from the telephone and talked with him, then returned to say that such a teacher would be welcomed—that papers had just been found sent out by the Department for use in Indian Schools setting forth twenty-two swing steps to be taught, for which badges would be given.

I asked for volunteers at that Council meeting and Mrs. L. Lievers, President of the Kith and Kin, and Mrs. Frank Milligan, Rep. of the L.C.W. on the Advisory Board of the Can. Nat. Inst. for the Blind, offered their services.

You have heard how they made an appointment to go to the institute on Fri. Feb. 22nd, to meet Mrs. Zimmerman, and how when they arrived there they were met by Mr. Zimmerman who told them there was no need for a sew-



ing teacher. To prove his point he showed them girls in a sewing class and work that had been done. At the same time he showed them a small class being taught a cooking lesson with a young woman in charge.

Hoping that this letter gives you the information you need, I am,

Yours truly,

## Appendix FL

### *Copy*

I, Alex Paul, Member of Temagami Indian Reserve. Age 74 years. Born 22nd day of Dec. 1873.

My father name was Big Paull and his ancestors occupied the land of Austin Bay as their permanent home. We occupied the whole area and surrounding lands of Lake Temagami.

We had from time immemorial derived our livelihood in this territory. No other Indians, as far as Indian history goes, has ever occupied this area. My father and family and other members of the Band selected the said Austin Bay Reserve as a permanent place of abode.

By treaty 1850-9th of Sept. signed at Sault Ste Marie, our chiefs and Band were not notified and ignorant of the treaty making convention. As stated above, and therefore we were not a party in any shape or form to this surrender made that covered as well our territory which also included in that surrender our ancestral home. We always considered up to the present and we never at any time made treaty with the Crown to relinquish our home Reserve, neither the territory we occupy. Rivers, lakes and forest tributaries and outlet in the district of Temagami.

Several years after the treaty of 1850 my parents told me that an official of the Government came and paid the annuity to the Indians of Temagami. Year after that Dr. Walton, Indian Agent of Parry Sound district visited our Band and paid the treaty money at the Hudson Bay Post at Bear Island for the convenience of all parties concerned and then the question arose at that time as to our permanent home. It was then discovered by the Indians there was no provisions made for their Reserve. Dr. Walton asked the Indians to map out their reservation. Chief Tonini made a draft of a Reserve selected was then at that time occupied by our people the Austin Bay with several houses and clearances had already been made and established homes the line commencing boundary line East and West to Cross Lake. As shown in the enclosed sketch, Mr. Walton I am informed took the sketch of the Reserve to the Headquarters with his signature on it.

We have never claimed no other lands as our Reserve other than Austin Bay. We never authorize Indian Department or other Branch of the Government to purchase Bear Island.

Bear Island has no future for our people. Most of the timber has been cut for firewood and for other purposes by the Hudson Bay Company and others that occupied the point, which is full of rock willows, thistles. There is a bit of soil, enough to bury the dead. We are demanding that our Reserve at Austin be recognized.

Signed,

ALEX PAUL.

## APPENDIX FM

WIKWEMIKONG, ONTARIO,  
July 3, 1946.

Mr. NORMAN A. LICKERS,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
Ottawa.

Dear Sir: At a special meeting of the Indians of Manitoulin Island Unceded Band held this third day of July, the following brief was drafted to be submitted for representation to the Joint Committee on Indian Affairs.

Health.

That efforts should be made to promote the education of Indian doctors and nurses; that adequate medical staffs with equipment should be established on the reserve. Electricity would be needed but this is quite possible, since the Hydro comes now to Manitowaning at the edge of the reserve; we should have electricity anyway.

Agriculture.

That we should appreciate having an agricultural instructor to conduct night classes and promote modern methods of farming; That we request a suitable threshing machine for a reserve of this size (100,000 acres). At present our threshing is done by whitemen from the surrounding countryside and naturally our turn must come after all the white farmers have been served, hence, our crops are often impaired through exposure to late fall rains, etc.; The council could control this outfit and collect fees for work done, hire a man to run the thresher and pay him by the day, the balance of the proceeds from fees to be expended toward the upkeep and repair of the outfit which is a separator and tractor.

That a visiting veterinary man be had to visit and look after the health of the livestock, these visits may be arranged conveniently for all concerned.

That we consider the amount of money at present allotted for loans to farmers as inadequate and the requirements as regards security for loans to be too strict, so that the small farmer is unable to procure a loan; We therefore request an additional five thousand dollars of our Band funds to be set aside to be loaned to men desiring to start farming, to enable them to procure horses, farm implements, livestock, housing and clearing land with easier terms of security.

That our fine Agricultural Society be encouraged in its work by having an agricultural representative to look after their activities as formerly.

Education.

We have day schools at Buswa, Kaboni, Rabbit Island and Wikwemikong: We are requesting the erection of schools at South Bay and Maingowei Settlement and an additional classroom at Wikwemikong where there are over sixty children in the primary class; We request a continuation school to be located on our reserve for advanced pupils; The council should have powers to dismiss from the schools any teacher failing to teach well in these schools.

Indian Act.

That Sec. 126, etc., pertaining to intoxicants be repealed and let the Indians enjoy the use of liquor on a par with other Canadians; under the present system they make a brand of home brew very prejudicial to their health; also far too much money is paid in fines which could be used for their families instead.

That the regulations for succession of farms under Sec. 26 should be changed so as to prevent the splitting up of farms into such small portions among the heirs, that no one has a share big enough to farm properly.

#### Treaties.

That a treaty woman marrying a member of the Unceded Band should not lose her right to Robinson Treaty money or other annuities, as at present is the custom; these women should continue to receive this treaty money during their lives even though their husbands don't, because the treaty obligations say the money should be paid *perpetually*, not only until such time as they marry a man who doesn't get this money. This applies particularly to Kikwemikong and should be cleared up now and arrears paid to these women who have been defrauded of their just claim all these years, for the reason the Unceded Band members are of different status than the Indians who receive government annuities and this Band do not draw any annuities.

#### Survey.

That by virtue of clauses 7 and 8 of the Manitoulin Treaty No. 94, which exempt us from survey and which also exempt us from deriving any benefits from the surrender of the said Island, but which gives us the right to decide for ourselves whether or not we should in some future time accede to the terms of the said surrender, and which we have not yet done, and because it was the wishes of our forefathers that this territory be set aside for their children to occupy, use and live peacefully thereon, enjoying the freedom of the exemptions accorded them in the treaty, **THEREFORE**, we respectfully submit to the committee that we and they (the Indian Department) adhere faithfully to treaty stipulations and we request the cessation of the present survey in our territory which is being conducted in violation of treaty obligations and we further request that Sec. 20 of the Indian Act be revised so that no surveys may be made unless the Indians concerned be willing.

#### Fishing.

That there be restored to us the exclusive rights to fish in the waters adjacent to our territory and that the practice of commercial fishing by setting pound nets in bays on our reserve be discontinued. That if the fishing rights of our waters were wrongfully turned over to the provincial government, we request that the revenue derived from them in the past be given to us and that the question of adjacent islands, whether they were originally included in the unceded portion.

#### Oil Wells.

That because the present holders of oil well leases on our reserve have done nothing to bring these wells into production, that these leases be cancelled and opportunity given to other companies to come in and operate these wells.

#### Hunting.

That our treaty privileges to hunt and fish for food at all times of the year be respected by all authorities and that no government, provincial or otherwise, be permitted to deprive us of our just rights, merely because they can make money from tourists by so doing.

#### Old Age Pensions.

That the dominion government be reminded of what their officials said at a great council at Drummond Island in 1846, when they put themselves on record that no Indian should ever be in want, as a recognition of their services with the British against the Americans in 1812 and that this keeping of our aged Indians from want and suffering can best be accomplished by granting them old age pensions; Remember also the aid granted by the Indians to the Crown in the first and second great wars; this reserve had some one hundred soldiers.



**Islands.**

As aforesaid we claim a right to the adjacent Islands of our territory, those within the boundary of the fishing grounds allotted to us at the time of the surrender of 1862. At which time a sketch of the area of the aforesaid fishery was given us, which our chiefs deposited with the resident Missionaries for safe keeping.

So far the said Missionaries have refused to give up the said sketch, saying it may have been transferred to their headquarters in Toronto, or to their other establishments at Spanish, Ontario. We strongly urge that the Government take measures to restore to us this sketch.

**Revenue.**

Should any of these islands have been sold or leased for timber cutting, which we claim they were, then, if the Government is of the opinion that the revenue derived therefrom, was wrongfully given to the wrong party, it should be restored to us, along with the right to claim the islands.

**Tourist Trade.**

For the purpose of acquiring a little income for our individual needs that we be given the right and privilege to operate an institution or institutions for the accommodation of tourists, in our unceded lands during the tourist season each year.

**Status of Unceded portion of Manitoulin Island.**

That the Government establish our status by which we shall be recognized as owners in future. The Government by virtue of clause seven of the Manitoulin Treaty No. 94, deprives us of our right to a share of the proceeds of land sales which our forefathers had a right to claim. Whatever funds we have are the result of our earnings. Governments pay us no annuities nor money of any kind. Nevertheless he puts us under the Indian Act, which undermines our rights. We think we are entitled to Government annuities same as other Indians by rights of our heritage as first occupants of North America.

CHIEF JOSEPH WAHEGJIG  
DOMINIC ODJIG  
DAVID MANITOWAB  
SAM OSAWAMICK  
JACOB BONDY

**APPENDIX FN**

BIG TROUT LAKE,  
C/O C. P. Airlines,  
Sioux Lookout, Ont.,  
July 29, 1946.

Mr. Norman E. Lickers,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
Box 63,  
Ottawa, Canada.

DEAR SIR: Our Indian Agent, (Sioux Lookout Agency) explained to us your letter of June 17th a few days ago inviting suggestions for the amendment of the Indian administration in general.

We have discussed this matter at a Council meeting. The Indians of this district are primitive and not very familiar with the constitution of administration except where it affects them personally. They therefore do not feel

prepared to make bold recommendations for the constitution as a whole but desire to make a few suggestions which we feel would very much improve conditions in our own district and possibly might apply to some others.

Regarding your eight points of inquiry,—

1. We are most anxious to continue in the present status of Treaty Indians, i.e., wards of the Government under the direct supervision of your appointed Indian Agent.

2. We are also content with the present system of Band membership.

3. We do not wish to come liable to pay taxes.

4. As yet none of our members have expressed a desire to be enfranchised, nor has the Government requested enfranchisement of any members.

5. We do not expect the privilege of voting at Dominion elections.

6. "Encroachment of white persons on Indian Reserves" hardly applies as we have not got our Reserves in this district yet, but we are very glad that an effort is being made to keep white men from encroaching on our trapping and hunting grounds.

We would remind the Government regarding the Reserves proposed for us. While they will be adequate for our buildings and gardens, they will not provide the trapping and fishing and hunting which have up to now been our mode of livelihood. This not being an agricultural district, we wonder where we shall find support for our families if the hunting and fishing grounds are to be surrendered.

7. We are very urgently in need of the erection of Day Schools; one at each of the principal villages of the Trout Lake Band. So far not one has been granted although promised in the signing of Treaty 9. We are also very much in favour of boarding schools where the more promising pupils could be sent.

8. We require a hospital where serious cases can get adequate medical treatment; also a trained nurse or matron at each Trading Post or principal village on account of the great distance from a doctor.

Game as well as fur is not so plentiful as it used to be, and it has been very noticeable how the decline in health and stamina comes after prolonged meatless periods, and this could be prevented because meat can be raised in this district if properly supervised. The Indians should be taught how and made to prepare the wild hay for winter consumption.

The raising of cattle, musk-ox, mountain sheep, reindeer, etc., should be studied for this district, also the conservation of Beaver and all other wild life and fish should be superintended by some responsible officer resident in the district.

The above would be our idea of helping the Indians help themselves with what they have.

CHIEF DAVID MORRIS

Councillors:

SIMEON McKAY  
GEORDIE WANAPETONG  
SAMSON BEARDY  
ALEX PARKMAN  
JOHN BIGHEAD

Per Rev. LESLIE GARRETT

## APPENDIX FO

SARNIA INDIAN RESERVE,  
August 9, 1946.

A general Band meeting was held on the Sarnia Reserve for the purpose of discussing revision of the Indian Act.

The meeting was opened by Chief Kenneth Plain who requested the secretary to read the minutes of the previous committee meetings and also part of Treaty No. 29 dated July 10, 1827.

The first subject was concerning this Treaty and it was approved by the Band that this Treaty be recognized by the Government of Canada and be upheld and also request the Government if the Sarnia Band has been paid according to the agreement of the Treaty.

The next item discussed was Band membership and it was approved by the Band that the powers of the Department of Indian Affairs in respect to admission and expulsion be abolished and that the right of membership both as to admission and expulsion be placed under the jurisdiction of the Band.

The next item was about liability of Indians to pay taxes. It was voted by the Band that the Indians be exempted from paying income tax and custom tax by virtue of their Treaty rights.

The item of enfranchisement of Indians voluntarily and involuntarily. It was voted by the Band that they approve of the resolution prepared by the committee whereby they disapprove of Indians being enfranchised. If the enfranchisement of Indians be upheld by the Government, it was recommended that the Indian children be left in as members of the Band from which their parents were enfranchised, until such children become of age and decide for themselves what to be, also to retain their Treaty rights.

It was moved by James Plain and seconded by Fred Rogers that members of this band of Indians be given a vote both in Dominion and Provincial elections and still retain their Treaty rights. This was approved by the Band.

The item of encroachment of white persons on Indian Reserves was a lengthy discussion. It was moved by Alfred Rodd and seconded by James Plain that section 118 of the Indian Act be exercised on the encroachment of white persons or other than members of the Band and this was approved by the Band.

The operation of Indian Day and Residential Schools. It was voted by the Band that they accept the resolution prepared by the committee on this subject whereby denominational schools be abolished and the education of Indians be committed to Regional Boards, upon which Indians in the district shall be represented by Indians and that the school teachers and doctors be given a higher salary.

It was moved by James B. Williams and seconded by Aylmer Plain that the word "Persons" in section 94A in the Indian Act be eliminated and changed to eligible Indians.

That the Sarnia Band desire that the administration of Indian Affairs be decentralized and administered by Provincial Regional Boards under a Federal Government or Board responsible to Parliament.

(a) That the administration of Indian affairs should be such that qualified Indians should be employed in all departments in the administration of Indian Affairs.

(b) That the local Indian Council and Band be given full authority in the management of their local affairs.

(c) That the Band be given full authority in policing their own Reserve.

(d) That our aged Indians receive the Dominion Old Age Pension.



It was moved by James B. Williams and seconded by Fred Rogers that section 52 of the Indian Act be abolished.

All these briefs in item No. 8 were approved by the Band by vote.

Moved by James B. Williams and seconded by Russell Bird that the Sarnia Indian Reserve Band be granted a larger subsidy for the upkeep of the roads on the Reserve.

It was moved by Russell Bird and seconded by Fred Rogers that the Sarnia Indian Agriculture Society be given a larger grant.

Moved by Russell Bird and seconded by Lawrence Williams that the Council and Chief along with ex-Chief T. Adams act on behalf of the Band as our representatives to the Members of Parliament who may come to inspect our Reserve:

It was moved by James B. Williams and seconded by Lloyd Williams that this Band of the Sarnia Indian Reserve pay the expenses of the delegate out of Band funds for the purpose of attending the meeting in Ottawa.

It was moved by Leonard Plain and seconded by Lloyd Williams that the Band set aside the sum of one hundred and fifty dollars (\$150) from Band funds to pay delegate's expenses.

It was moved by Aylmer Plain seconded by James Plain that a delegate will be appointed by the Band when notice is received by the Chief and a general Band meeting will be called by the Chief at that time.

CHIEF KENNETH PLAIN  
COUNCILLOR ALFRED RODD  
COUNCILLOR JAMES B. WILLIAMS  
COUNCILLOR RUSSELL BIRD  
COUNCILLOR ALBERT OLIVER

LAC SEUL, Ontario,  
September 16, 1946.

Mr. NORMAN E. LICKERS,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
Box 63,  
House of Commons,  
Ottawa.

DEAR SIR, Our Indian Agent recently called a meeting to explain the purposes of the joint Committee and as a result, hereunder are our recommendations, suggestions and observations which would help our Band.

1. The Lac Seul Band is in Treaty No. 3, which was made in 1873 and also known as the Northwest Angle Treaty. We are satisfied with our conception of the original agreement and want it to continue; the terms to be carried out as promised and as it was first explained to our representatives who signed the Treaty for the Indians.

At the time of the signing of the Treaty there were many things that our Indian representatives were unable to foresee as they were not educated and had known very little of the white man's ways. There are certain things which have affected our mode of life and we believe that the Indian Act should be changed to take care of these. We understand that the first Treaty did not mention hospitals or medical attention for Indians. We wish to have this written into the Treaty or covered fully by the Indian Act.

Our understanding of the original Treaty was that we could hunt and fish without hindrance in the territory ceded by us. The Indians who signed the Treaty could not possibly anticipate any future Government regulations which would change this, as Game and Fish laws were unknown to our fore-

fathers. It seems reasonable to suppose that the white man who arranged the Treaty must have known something about Game and Fishery regulations even in those days of long ago. We believe if this had been fully explained to the Indians the Treaty either would not have been signed or would have contained a positive statement giving the Indians full right to hunt and fish without restrictions. Since we made the Treaty with the Government of Canada we believe we should not be forced to have any dealings with the Province of Ontario.

The Chiefs were promised uniforms every three years and medals, at the signing of the first Treaty. The uniforms are not received regularly and we would recommend that the Chief and Councillors be supplied with a badge showing rank and name of Band instead of a medal that is so heavy it would tire any but a strong man to wear it for a day.

2. Many of our people have left the Reserve and never intend to return. We do not wish these people to share in our Interest (Timber) money. It is recommended that these people be transferred to other Bands with which they are now living. On the other hand we are willing to transfer Indians who are now living in our vicinity to the Lac Seul Reserve. We do not want anyone transferred to our Reserve unless approved by the Chief and Councillors.

3. According to our understanding when the first Treaty was signed, we were not liable for Taxes and we feel that we still should not have to pay taxes of any kind. Most of our people do not understand the reason or purpose for all the Taxes except that they go toward paying for the expense of operating the Government in peace time and toward the expense of war when the country is at war. Our Band does not receive any of the benefits of Public Services such as roads, Old Age Pensions, etc., yet we are expected to pay Taxes the same as those who are receiving all the benefits.

4. We are of the opinion that all our Indians should remain in Treaty and that they should not become enfranchised which would deprive them of the benefits of the Treaty. We believe that the regulations concerning enfranchisement should remain as they are at present.

5. We feel that any of our educated Indians should have the right to vote at the Dominion elections if they wish, but do not want this to be compulsory in any way.

6. The encroachment of Whitemen and non-treaty Indians on our Reserve has not been a problem to us and as long as the present laws continue in this regard it will be quite satisfactory to the Lac Seul Band.

7. We do not wish to discontinue the present Residential Schools in this Agency but we should like to have a Day School on the Reserve where we could send our younger children say for two years in order that they might remain at home for a while longer before going away to Residential Schools. This arrangement might enable the Residential Schools to have a high school class for the older pupils as they would not be so crowded with young children. We have been considering the idea of the Government taking over the Residential Schools instead of the Churches. Before making any definite recommendations in this matter we wish to discuss this more fully among ourselves and will make a definite recommendation at a later date.

*General.*

It is suggested that more attention should be paid to the health of our people. Here at Lac Seul we are situated about thirty miles from the nearest doctor and when sickness strikes it is almost impossible to get a doctor to the Reserve. It is strongly recommended that we have a nurse in residence on the Reserve who could care for those who are not sick enough to go away to hospital. The nurse could also advise us on matters of health and how to prevent the spread of disease at all times. It is also advocated that we be provided with an up-to-date hospital at Sioux Lookout where we could send



our sick and where those suffering from T. B. could be taken care of without having to send them to far away places in Manitoba and Eastern and Southern Ontario.

We strongly urge that our children in school should be taught more technical or vocational subjects such as mechanics and carpentry for the boys—and for the girls such things as nursing, first aid, cooking and household management. We would like provision made to send any of our competent students to high school or college where they could qualify for a profession if they are capable. We recommend that the children at Residential school be properly fed and clothed at all times and that the Agent should accompany a Committee from our Band, consisting of the Chief and at least two Councillors, to inspect the Residential school where most of our children attend. This should be done twice each year.

We urge the Department to give us more help with our housing problems. If the Department will supply the windows, lumber, roofing and hardware we will do our part by putting up the logs and attending to the clearing. This help should be extended to the young married couples as well as to the older people.

We are not farming Indians. We have only small gardens and potato patches. Our main livelihood is from trapping and fishing. During the fishing season we have to move around the Lake to the various fishing grounds which might partly explain why we are not gardeners. All our trapping has been done around Lac Seul—some of us are now trapping in the territory where our great grandfathers trapped and hunted, mostly within fifth miles of the Lake (Lac Seul). We wish to take this opportunity to lodge a protest as strong as we can make it concerning the white trappers coming into our trapping grounds and crowding us out. These trappers are licensed by the Ontario Government after they swear that no one is already trapping in the area they apply for. After they get their License they chase us out of their area, sometimes threatening to shoot us if we remain. As mentioned before we have no agreement with the Province of Ontario. Therefore we feel it is the duty of our Department to correct this deplorable situation. From the viewpoint of our future economic status and that of our children not yet born, we present this as one of our most serious problems.

Another thing which causes us considerable concern is the situation at Hudson, our nearest town, on the main line of the Canadian National Railway. To this place, many of our young people and all the fishermen go to visit and sell their fish. At Hudson there are many bootleggers and undesirable characters who seem to prey on our people and take advantage of their weakness for strong drink. This also applies to our women. It is recommended that the Government station a R.C.M.P. officer at Hudson who could look after the Indians while in town and also police the Lac Seul Reserve including Frenchman's Head. From Hudson the R.C.M.P. could also take care of Red Lake where we understand there are also many bootleggers preying on the Indians.

During the war years, as a patriotic gesture and as a humble contribution from the Lac Seul Band for the cause of Democracy, arrangements were made through our Agent with the Department to reduce the amount of our Annual Interest (Timber) payment to two dollars per head. It was our understanding that this was in the nature of a loan to the Government and the Interest would continue. Now, the majority of our Band would like to have Interest payments in full and it is believed that the Interest built up during the war years should pay us four dollars per head. It is recommended that we be paid at this rate if it will not reduce the capital fund, also that arrangements be made to have a separate Interest (Timber) payment in the Fall.

We would like to send two delegates to meet the Committee in Ottawa at a later date or when called upon. We would be prepared to pay our own expenses if no provision was made by the Government to do so.



The foregoing is our idea and our recommendations as to how conditions could be improved also how the standards of living, health and happiness can be raised for the Indians of our Reserve, all of which is respectfully submitted.

Your very truly,

*Chief:*

JOHN ROSS.

*Councillors:*

JOHN LITTLEDEER,  
CHARLES THOMAS,  
SIMON THOMAS,  
RICHARD BUNTING.

*Witness and Interpreter,*  
ROBERT WESLEY.

## APPENDIX FQ

December 16, 1946  
RAINY LAKE, Ontario

To NORMAN E. LICKERS,  
Liaison Officer,  
House of Commons,  
Ottawa, Ontario.

DEAR SIR: We members of Couchiching Reserve, held several meetings to discuss the subject of your letter of June 13 last and following are our contentions of this matter.

We the Member of Couchiching Band resolve that we retain our treaty rights as stated and promised in the North West Angle Treaty of 1873.

We members of this band further resolve that we should be given the liberty and rights to control in regards to enfranchisement is concerned of any of our members and that section 18, paragraph 2, of the Indian Act be amended.

And we further recommend that our avocation of fishing and hunting rights be retained so that we may fish and hunt at any time without the purchasing of licences and the interference of any white man.

We further resolve that said band hold their rights as has been practised in the past in regards to other treaty Indians wishing to transfer from one band to another and that we have full control over whether said Indian be accepted or not without first having to obtain the approval of the Superintendent as stated in the Indian Act.

Free liberty to be given to the band to elect their chief or councillors at any time, it is deemed necessary to the band. It is further recommended that the chief be paid a salary of \$300 and councillors \$200 annually.

We further ask that taxation on treaty Indians should be abolished and our general feeling to this matter is, that no Indian should be liable to any taxation.

In regards to voting, the opinion of this band is that no treaty Indian should have any interest whatever in any Dominion or Provincial election.

Encroachment of white men on Indian reserve should be more rigidly enforced such as carrying of guns and hunting, in such cases, full penalty should be meted to all trespassers.

And be it further resolved that no white man or township should be able to collect taxes on reserve, be it leased land for purpose of power line, a summer resort or otherwise.

The opinion of this band concerning our present school is that our children receive proper education but lack manual training, and, for the said reason, the band ask the Department to increase the school grants to a more appropriate sum, so that said school will be more able to provide qualified teachers in manual and vocational training and better school facilities.

It is further resolved that liberty be given to us to elect a school board to see into the maintenance of our school.

It is further resolved that all children attending residential school, should be given full rights and privileges regarding family allowance. It is strongly recommended by this band that said children receive their full family allowance the same as children attending day school.

Regarding day or residential school, it is our opinion that a semi-residential school would be approved by all concerned so that our children could go home from school on week-ends and in regards to all Indian children wishing to obtain a higher education should be given the opportunity to do so, and all tuition, and transportation fees be paid by the Department.

It is also further recommended by this band that a old folks home be built on our reserve. Old age pensions and mothers' allowances should be given to our old folk and widows the same as given to the white people.

It is further recommended by this band, considering the fact that our reserve is situated near a town also a border town, tends to lead our boys and girls, more or less astray, therefore, the opinion is that the Department erect a recreational hall on our reserve with all modern equipment, and to be managed by the Indians with the view of creating more of a family spirit, and have our own recreational centre.

It is further resolved by the band, and they also wish to stress the fact to the Department, that in their opinion, the Indian agent has too much authority in administering his information and refusals to his Indian subjects' demands which he more often times uses his own personal opinions in matters pertaining to the welfare of Indians.

A further request is being submitted by the band towards their personal health and that a full-time doctor be given to them. And, also, in case of sickness of the male member of a family, therefore depriving his family of a proper living, the Department to instruct the Indian agent to see that said member receive adequate provisions covering his illness and proper care. Whereas in such cases now he is allowed something to the amount of \$10 or thereabouts. We know that this is not enough for one alone to exist on for a month, let alone a family as it is meant for.

Liberty to be given to all parents wishing to send their children to any day school without it being compulsory to enter them in a residential school.

We would also recommend that we be provided with modern lighting system. In other words we would like to see electric lights provided on our reserve.

It is also the opinion of the band to suggest to the Department of Indian Affairs that we be provided with modern farming implements so that we may be able to encourage our members to take an interest in farming.

Owing to the fact that one of our main livelihood, which is a sawmill operated by I. A. Mathie, Ltd, will cease to operate in a not far distant future, in fact just one more year, we wish to express our opinion that a portable sawmill with driving equipment and planer would be a very convenient project on our reserve as the majority of the men are experienced loggers and sawmill workers and therefore would be well qualified to operate the mill. Timber is still plentiful on our reserve which we are sure will supply the mill for many years. This would also help out the housing problem on our reserve and also provide useful work for many.

Owing to the fact that we are the original North American Indians, and, according to the Robinson Treaty, there is no boundary line for the Indians and we are at liberty to go and come across the boundary between the United States and Canada at any time, this same liberty should apply to any Indian purchasing any merchandise of any sort and should be free from paying any duty, be it the United States or Canada where the purchases are made. As it is to-day a tourist from the States comes to Canada and stays 48 hours or more is allowed to go back to the States with merchandise to the value of \$100.00 duty free. This should more apply to the North American Indian—duty free at all times.

We would also like to draw the attention of the Indian Department to the fact that we lost a large portion of our reserve land through floods caused by a dam built by the paper company at Fort Francis where, as we have notified our local Indian agent from time to time, that we were losing a lot of our land by washing away. But realizing no results through him, there has been some rip rap work done on this shore line some years ago. But this is gradually sinking, therefore is no more good. We are asking the Department to look into the matter, and have the paper company do the rip rap work over again which we are in need of to protect us from any further loss of our land and also that this work be done at the expense of the Company.

It is also the opinion of the band to suggest to the Department that there should be some sort of a beneficial fund provided for the Indians in case of a depression such as the one experienced after the first World War. Some system that would be given as relief in such times. At the conclusion of our meeting with the committee, one of the members brought up a subject which is very hard to settle—the question that was brought up deals with a clause in the Indian Act which is being very strongly enforced and to our opinion is being too strongly enforced for the Indians' welfare. The question deals with liquor. A lot of comment was made on this matter amongst the Indians, not that the Indians feel that they are being deprived of an necessity, but the general feeling of all is that there is good and bad in all races. Therefore, when an Indian feels like indulging in liquor, he will get his liquor regardless of the law contained in the Indian Act. The Indian is not permitted to enter into a public bar-room to purchase any drinks especially in our town, but nevertheless he gets it and has to take it to some back alley to drink and he must dispose of it as quickly as possible for he dare not carry it in his pocket or in a parcel for fear of an R.C.M. Police seeing it which to our opinion they are always doing. As, aforesaid, the Indian has to consume his liquor as quickly as possible, and, therefore, results in the poor Indian being drunk quickly. And in many cases he tries to go home in this state probably enters his canoe, capsizes and is drowned. And in other cases where he tries to walk home he may fall down on the road and falls asleep there. Probably a motor vehicle or locomotive hits him and he is killed. This happened many times in the past. As we have stated the Indian will always obtain his liquor when he wants it—he has to get it from a bootlegger and often times has to pay 10 to 15 times the original price. Yet he'll buy it—not even knowing what he buys. Bootleg liquor in many cases is poison to the system of any person. This may often be the cause of the dreaded disease prevailing in many of the Indians to-day—the disease known as 'T.B.'. Whereas, were an Indian to be given a quota or a permit to make his purchase in a liquor store, and allowed to take it home and use it as he should, a lot of these untimely deaths and 'T.B.' cases would be eliminated.



Our opinion in this matter is that great thought and consideration should be given both by the Indians and the Department for the welfare of all Indians.

Briefs and recommendations submitted by the Couchiching Indian Reserve Band of the Fort Frances Agency with the wish that each individual subject thus submitted receive due respect and consideration by the Joint Committee appointed for this purpose.

Signed and sealed with approval by chief and councillors of this band

(Chief) Thomas JOURDAIN

(Councillor) Rod BUNQUE

" Paul JOURDAIN

" Joe MAINVILLE

## APPENDIX FR

SARNIA, ONTARIO,  
January 13, 1947.

To The Special Joint Committee of the Senate and the House of Commons,

Honourable Gentlemen of the Senate and the House,—The direct descendants of the Indian Chiefs and principal men who signed the Treaty of 1827, between the British Crown and the Chippewa Indian Nation, respectfully submit for careful consideration and study, the attached brief which has been prepared at the meetings of a recently formed organization on this Indian Reserve whose objectives were suggested by Hon. J. A. Glen, Minister of Mines and Resources, in a speech made by him to the House, in which he said in part, "The Indian, as I see it, should retain and develop many of his native characteristics and should ultimately assume the full rights and responsibilities of democratic citizenship".

Studying our history, we find that our people were happiest along about the time the Indian Act was brought out to protect them in their simple life and to guide them in their advancement towards the modern way of life. Their attitude to the governing authorities was marked by a very high respect which is revealed by the term "Great White Fathers" for the Supt. General and his agents. The Chiefs, Councilmen and aged Indians also received the respect due them; their presence in any gathering being considered a favour. The Department of Indian Affairs had no trouble looking after the Chippewa Nation of Indians because of the mutual co-operation of the Indian leaders.

We find then, in this study, that, with the rapid progress of civilization on this continent and the attempt of our race to keep pace with the white brothers that our people in this generation have become increasingly unhappy. Therefore, we, the Chippewas of Sarnia have made as objectives in this organization the following:—

1. To acquaint ourselves in the duties of citizenship.
2. To perpetuate the Indian race and their language.
3. To study the provisions of our Treaty which was drawn up in the light of other days.
4. To promote agricultural development, industrial life, and encourage Indian handicraft on our reserves.

As we go further in our studies, the realization comes that the present "Indian Act" is, in a manner of speaking, like childhood clothes put on an adopted child for his protection from the elements (Indians as wards of the Government). and as the child grew into adolescence, the clothes that first fitted him may have been altered and let out to suit his size (amendments to the Indian Act), the time

has now come that the foster parent suggests new clothes for the adopted child who has now grown to manhood; (a new revised Indian Act). This time, he is asked what he would like about his new clothes (the invitations to bands, organized groups and individual Indians to submit briefs outlining recommendations). The foster parent suggests a consultation also (the Joint Committee instructed to visit different Indian Reserves).

As this group delves further into this matter, they find cause for rejoicing that, the Indian is at long last considered as having reached maturity and that his judgment to have merit in the preparation of a "Magna Charta", and hope arises in their breasts that a sufficient number of the recommendations submitted by progressive-minded Indian groups throughout the Dominion shall be included in the new Indian Act that the Indian nations shall be satisfied and the same measure of co-operation shall exist between them and the Government of Canada that existed formerly, guaranteeing a new era of happiness, prosperity and contentment for a nation that has been too long down-trodden. With this hope, this organization respectfully submits a few suggestions pursuant to the suggested plan sent out by the Liaison Officer of the Joint Committee, signed:—

"The Progressive Association of the Chippewas, descendants of the Principal Men and Indian Chiefs who signed the Treaty of 1827."

NICHOLAS PLAIN, President,  
ALBERT OLIVER, 1st Vice-President,  
CHIEF KENNETH F. PLAIN, 2nd Vice-President,  
AYLMER N. PLAIN, Secretary.

## APPENDIX FS

*Copy*

SARNIA, ONTARIO,  
13th January, 1947.

We, the Chippewas of Sarnia; members of the newly formed organization do hereby humbly suggest a few amendments to be incorporated in the revised Indian Act,—

### (1) *Treaty rights and obligations*

We find, that our Treaty, as well as many others like it, provides for an annual payment, in goods, of a certain sum, as recompense for a surrender of over two million acres; and after careful and thoughtful consideration, have come to the conclusion, that, in lieu of the specific provisions of the treaty made with our forefathers, our tribe has received in services and gratuities, many benefits in our home and reserve life. Therefore, we suggest that provision be made in the revised Act for a continuation of these services and gratuities, in perpetuity, following the words of our Treaty.

### (2) *Band membership*

We suggest, specific provision be made in the new Act, for exclusion from membership, of illegitimate children when one parent is proved to be white, but allowed to become members if both father and mother are full-blooded Indians. The common experience in all Indian Reserves is that half-breed illegitimates are generally trouble-makers.

### (3) *Liability of Indians to pay taxes*

Suggestion: That sections 102, 103, 104 of the present Act be retained in the revised Act.

(4) *Enfranchisement of Indians, both voluntary and involuntary*

We suggest, that an amendment be made in section 110 to read: "Upon the application of an Indian of any band, or upon the application of a band on a vote of seventy-five per cent of the male members of such band of the full age of twenty-one years".

(5) *Eligibility of Indians to vote at Dominion elections*

Suggestion: The Indian having attained the status of civilized persons, carrying a Dominion registration card, liable to the payment of income taxes and military service, should have the right to vote.

(6) *The encroachment of white persons on Indian reserves*

We find, after careful inquiry, that, where Indians possessing white blood in their veins have been permitted to hold public office on any reserve, they have not contributed much to the good-government of that reserve, but rather, their tenure of office has shown a deterioration; therefore, we suggest that a definite provision be made in the new Act that, "Any half-breed to be classed in that category, as encroachment of a white person, therefore, not eligible for public office".

(7) *The operation of Indian day and residential schools*

After exhaustive study, the conclusion has been reached that the residential school has lost its effectiveness in this modern day. Therefore, we recommend that the plans of the Joint Committee include the provision for erection of more modern day schools which shall include quarters for the teachers. We very earnestly recommend the inclusion of a plan to employ a married man as one of the teachers in each school whose wife shall share the responsibilities for community activities. We feel that the first essentials is the development of an adequate water supply. Around this water supply should be developed a school structure which supplies:

(1) The necessary number of class-rooms to care for children in groups of approximately 30;

(2) A kitchen for the preparation of a noon meal to supplement the often inadequate lunch that the children carry to school;

(3) The installation of Hydro electric power in all class-rooms and more especially, in a work-room which should be well equipped with sewing machines and other facilities for home-making instruction, and used by both children and adults of the community;

(4) Community shower baths; for, on many reserves, facilities for regular bathing of children are very limited;

(5) A community laundry to which the women may come to launder the family clothing;

(6) A community work shop where general repair work may be done by the men of the community and for instruction of boys in the use of power tools.

Around the school should be developed a school garden, for it is felt that where children learn to compete with one another in their individual school plot, the program trains them for responsibilities around their homes.

(8) *Any other matter or thing pertaining to the social and economic status of Indians and advancement*

We have several suggestions to make, for study and careful consideration by the Committee with regard to several matters which we feel should be incorporated in the revision of the Act.



(1) As a guarantee for certain rights and privileges of home rule to the Indian people, a charter should be granted to any group or organization for municipal government with no vested rights, to be under governmental agency and convenience and that charter may be altered or repealed at any time by act of Parliament. We are very earnest in our belief that reserve home rule would do much to control its own destinies in matters of the reserve or local in significance. Such a charter would provide for election of overseers of the poor, a school committee, trustees of the reserve library, constables, road masters, fence viewers, milk inspectors, field-drivers of power implements and other officers in the management of public affairs. This general participation in the business of government of the reserve will contribute greatly in the development of the younger generation of Indians into wide-awake and progressive citizens.

(2) We request the Committee to include in its recommendations, a provision to include Indians in old age pension laws, blind persons allowances and mother's allowances. As first citizens of Canada, liable to the payments of income taxes and military service, we feel that such social security measures as apply to other Canadians should also apply to the Indians.

(3) As members of a band whose reserve holds great possibilities for agricultural development, we deeply appreciate the efforts of the governing powers to instruct our children and young men in agricultural pursuits. We are agreed, however, that the wording of sub-section 3 of section 93 and also of section 94A which effectually bars the employment of competent Indians as farm managers or instructors is a definite hindrance to progress in any reserve. We therefore recommend an amendment to the aforementioned sections to read thus:

Section 93, subsection 3:—

“or may employ such persons and or competent Indians”.

Section 94A:—

“employing such persons and competent Indians”.

The reason for such a recommendation will be found in definition (i) in section 1 of the present Act.

We are confident that the approval of such an amendment will open up new possibilities for advancement to the younger generation of Indians who have received special training, and to older Indians who are, by experience, competent to fulfil the duties of instructors and farm managers.

And finally, Gentlemen, we humbly request that a thorough investigation be recommended by your committee into a matter concerning only our reserve, namely;—the refusal of the Dominion Alloy Steel Corporation to fulfil a part of the bargain entered into between the Department of Indian Affairs and the Corporation to rebuild new churches for our reserve. Conditions which will be found in the surrender of over eleven hundred acres of our heritage in the year 1919. The facts about the whole matter are in the hands of Hon. W. H. Bryce.

We feel that the unauthorized use of our band funds to pay for the demolition of our last place of public worship of our Creator surely bears investigation. We are,

Respectfully yours,

THE PROGRESSIVE ASSOCIATION  
OF THE CHIPPEWAS

SARNIA, ONTARIO.

January 13, 1947.

## APPENDIX FT

*Copy*

CHIPPEWAS OF THAMES  
CARADOC RESERVE,  
Feb. 21, 1947

Mr. Norman E. Lickers,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
Ottawa, Ont.

DEAR SIR,—We, the undersigned, elected Chief and Councillors of the Chippewa Indians of the Thames, Caradoc Reserve, present hereunder a brief for submission to the Joint Committee on Indian Affairs.

1. *Treaty Rights and Obligations*

That the Committee look into the treaty of March 9, 1819 and the treaty of July 8, 1822, or any other treaty that might have been entered into concerning the Chippewa Indians of the Thames, Caradoc Reserve, and to have the obligations fulfilled.

2. *Band membership*

No illegitimate child to become a member of the band without first getting the consent of the Band in Council.

3. *Liability of Indians to pay taxes*

That no tax be paid by this Band because to pay taxes would be contrary to our treaty rights.

4. *Enfranchisement of Indians both voluntary and involuntary*

Any Indian male or female owning land in a reserve must first dispose of his or her land in the reserve to a treaty member of his or her band or to the band he or she belongs before being enfranchised either voluntary or involuntary.

5. *Eligibility of Indians to vote at Dominion Elections*

That this band do not desire to vote at Dominion elections.

5. *The encroachment of white persons on Indian reserves*

Any government lease for pasture or for other purposes in the reserves, applied for by a white person such tender or application must first get the approval and consent of the Council of the band, and that notices for tender for lease be made public at least two weeks before the sitting of the council in any month.

7. *The operation of Indian day and residential schools*

Schools should all have good drinking water, wells and pumps. Paraphernalia for the different sports. Finished students should be placed in positions, and providing students are capable of filling clerical and other positions in the Department of Indian Affairs, they should be placed in these positions.

8. *Social and Economic status*

(a) In view of the taxes on the commodities of life and merchandise paid by the Indians, sick and aged monthly relief of \$4.50 be raised to a standard to those existing among the white race.

(b) A fair share of car license and gas tax be made available for road improvement on the reserve apart from roads taken over by the government.

(c) Concerning agriculture on the reserve we want better co-operation from the Indian Agent.

(d) For better housing, farming implements and stock that funds be available by special appropriation furnished by the Government.

(e) Two delegates from this Band be appointed to attend the Joint Committee meeting, and that their expenses to be paid from the funds of this Band.

## APPENDIX FU

## PROVINCE OF ONTARIO

## NIPISSING RESERVE

April 7, 1947.

Mr. NORMAN E. LICKERS,  
Liaison Officer,  
Joint Committee on Indian Affairs.

We undersigned Indians, member of the Nipissing Reservation in the Province of Ontario, we herein submit our suggestions and viewpoints on the following matters in accordance to your letter of June 17, 1946.

*Questions*

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at Dominion Elections.
6. The encroachment of white persons on Indians Reserves.
7. The operation of Indian Day and Residential Schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opinion of such a committee, should be incorporated in the revised Act.

*Answers*

1. The rights and privileges of the Royal Proclamation of 1763 and all the Treaties which concern the Indians we want to see them respected.
  2. Indians only must be member of the Band.
  3. We must be free from all kind of taxation impost in this Country.
  4. No Indian must be enfranchise against his own will.
  5. The Indians must not be allowed to vote at the White man Elections.
  6. We don't want to see white persons reside on Indian Reserves and no Indian Territory sold away.
  7. The education of the Indian children must be taught in their own school on their Reservation to safeguard their Indian mode of life and the teaching must be given in their own language.
  8. For the social and economic Status of the Indian Nation advancement we must have our freedom by being Govern by a National Indian Government with his own Constitution Law; this is the only way that the Indian Nation will be sure that their rights and privileges will be protected and respected.
- This request is signed by Head Chief, councillors and the members of the Nipissing Band.

BERNARD COMMANDA, *Chief, Band No. 146.*

ALEX GOULAIS, *Councillor Band No. 95.*

DAVID COMMANDA, *Councillor Band No. 136.*

And 23 members of the Band.



## APPENDIX FV

GEORGINA ISLAND, Ont.,  
April 28, 1947.

Mr. NORMAN E. LICKERS,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
Ottawa, Ont.

DEAR SIR,—The circular letter sent to us in June, 1946, has been discussed (belatedly) in Council and the following comments submitted, in a general way. However we would appreciate the privilege of sending a delegate or delegates to attend one of the committee's meetings at any time you may deem convenient, so that our economic plans and suggestions for better health, better education, a higher standard of living, etc., as regards our own particular reserve may be more specifically outlined.

We are submitting hereunder comments under the various headings as suggested by your circular.

1. *Treaty rights and obligations.*—We suggest that all treaties be reviewed as to terms and obligations of parties concerned and new interpretations devised to coincide with present-day conditions.

2. *Band Membership.*—That Band concerned be notified of any applications for membership so that they (the Band) too, may have some authority as to who should or should not be admitted.

3. *Liability of Indians to pay taxes.*—That taxes on income or on real and personal property be not at the present time introduced excepting those recommended by Council as by-laws in accordance with the Indian Act.

4. *Enfranchisement of Indians.*—That voluntary enfranchisement be the rule as heretofore, but that Band concerned be given some authority in recommending applicant for enfranchisement.

We strongly urge that some provision be included, in any changing of the Act, whereby a newly admitted member cannot in the course of a short time enfranchise and take out his share of capital funds. To prevent the transaction becoming a "racket" we suggest that one must be a member for a stipulated number of years so that he shall have had time and the privilege of becoming an asset to the Reserve, which has admitted him.

5. *Eligibility of Indians to vote at Dominion elections.*—That the members of our band are eligible to vote because we feel that we have sufficient education and understanding of questions of the day to vote intelligently. We also feel that due to the splendid war record, and sacrifices of our soldiers, and to the fact that we do pay indirect taxes in our daily transactions outside the reserve, we are entitled to a voice in our country's affairs.

6. *The encroachment of white persons on Indian reserves.*—That any encroachment of a demoralizing nature be not tolerated. We have considerable amount of labour on our reserves. On these jobs we ask that only Indian labour be employed wherever such can be handled by Indians.

7. *The operation of Indian day schools.*—That the system of using missionary teachers be abolished. We would like to see our day school system supervised by a school board, as in white communities, so that a properly qualified teacher will always get the appointment. We suggest we elect one member from the reserve to sit in with the school board of one of our adjacent white communities and supervision to issue therefrom. We would appreciate too, some financial aid in advancing some of our children through high or technical school, when certain ones are deserving of such. We cannot urge too strongly the need for better education for the new generation. We believe it is the key to the ultimate solution of the so called "Indian problem".

8. Education will of course show its results in the next generation, but for the present generation any ways or means that can be arranged to increase the individual income of our people will automatically raise our standard of living, that is under proper supervision. To that purpose we submit the following suggestions with regard to our own particular reserve.

- (1) The introduction of old age pensions and mothers' allowances.
- (2) The construction of two suitable docks, one on our island and one on the mainland. A large part of our reserve is well situated, not far from the mainland for summer cottages. Transportation is our problem. If we had suitable wharves and a government boat, as supplied for some reserves, we believe that we can greatly increase our individual as well as our collective income, when we consider the revenue derived from a summer tourist business.
- (3) A telephone connecting the island with the mainland would be a great convenience. It is a necessity at times of the year when we are isolated.
- (4) We would like to see a medical dispensary or small hospital built on our reserve. We have a splendid trained nurse, and there are times when one patient in a family needs isolation to prevent the spread of some contagious disease. It would be a place, too, for one during convalescence when one needs nurse's care. It would also be used for the doctor's clinic.

It must be said that it is a credit both to our people and to the people of the white communities round about us that we suffer no race discrimination, except in one or two isolated circumstances. We meet with and discuss news of the day with our white neighbours, it seems, on an equal footing. There are times, however, when we feel a sense of inferiority complex due to the fact that we do not enjoy some of the privileges enjoyed by our white brothers.

In the last two great wars our reserve holds a splendid record of voluntary enlistments per capita and we are proud of the part our men played for the Dominion of Canada.

We greatly appreciate the efforts of the Government in appointing a committee to review the position, and to recommend a new deal for the Indian race. We see at last a hope that many of the injustices suffered by our race will be corrected. That equality with other Canadians will become a reality, and that the fight for freedom and justice for which our men so proudly fought will not have been in vain.

This short memorandum has been written by unanimous approval of our council and is respectfully submitted.

C. L. BIG CANOE,

*Chief.*

WILLINGTON CHARLES,

*Councillor.*

LESLIE McCUE,

*Councillor.*









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(SESSION 1947) [Cttee on, 194



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 27

TUESDAY, MAY 27, 1947

### WITNESSES:

His Eminence James C. Cardinal McGuigan, Archbishop of Toronto;  
His Excellency Mgr. A. Vachon, D.D., Archbishop of Ottawa;  
His Excellency Mgr. H. Belleau, O.M.I., D.D., Vicar Apostolic, James Bay;  
His Excellency Mgr. G. C. Murray, C.S.S.R., D.D., Archbishop of Winnipeg;  
Reverend J. A. Brachet, O.M.I., Principal, Indian Residential School, Fort Alexander, Manitoba;  
Reverend Fergus O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C.;  
Reverend J. McKay, S.J., Indian Missionary, Sault Ste. Marie, Ontario;  
Reverend Gérard Forcade, O.M.I., Indian Residential School, Grouard, Saskatchewan;  
Reverend Gontran Laviolette, O.M.I., Editor, *Indian Missionary Record*, Lebreton, Saskatchewan;  
Reverend Adrian Charron, O.M.I., Principal, Indian Residential School, Cluny, Alberta;  
Reverend J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training Commission, O.M.I., Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

TUESDAY, 27th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

*Presiding:* Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senator Blais—1.

*The House of Commons:* Messrs. Brown, Blackmore, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, Matthews, (*Brandon*) (Vice-Chairman), MacLean, Raymond (*Wright*), Reid, Richard (*Gloucester*)—15.

*In attendance:* (From Department of Mines and Resources): Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent, Welfare and Training; P. N. L. Phelan, Training; T. M. Jones, Supervisor, Family Allowances; Dr. P. E. Moore, Indian Medical Services; Dr. O. Leroux, Department of National Health and Welfare; also Mr. E. D. Fulton, M.P.; also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman extended, on behalf of the Committee, a message of welcome to the delegation headed by His Eminence James C. Cardinal McGuigan, Archbishop of Toronto.

Cardinal McGuigan introduced the members of the group appearing with him representing Catholic Indian missionaries.

Reverend Father J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training, Oblate Commission, was called to read the brief representing the views of the Catholic Hierarchy of Canada and of all the Catholic Indian missionaries. The brief was also presented in the name of Catholic religious orders of women giving their services to Catholic Indian missions, and was questioned thereon.

Other members of the delegation who were questioned were: His Excellency Mgr. A. Vachon, D.D., Archbishop of Ottawa; His Excellency Mgr. G. Murray, C.S.S.R., Archbishop of Winnipeg; His Excellency Mgr. H. Belleau, O.M.I., D.D., Vicar Apostolic, James Bay; Reverend Father J. McKay, Indian Missionary, Sault Ste. Marie, Ontario; Reverend Father A. Charron, O.M.I., Principal, Indian Residential School, Cluny, Alberta; Reverend Father F. O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C.;

The Committee adjourned at 1 o'clock p.m., to meet again at 4 o'clock this afternoon.

## AFTERNOON SESSION

*Presiding:* Mr. F. D. Brown, M.P., Joint Chairman;

*Present:*

*The Senate:* The Honourable Senator Blais—1.

*The House of Commons:* Messrs. Brown, Brunelle, Blackmore, Case, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice-Chairman) MacNicol, Raymond (*Wright*), Reid, Richard (*Gloucester*)—13.

*In attendance:* as at this morning's session and, in addition, The Honourable Paul Martin, Minister of National Health and Welfare; Mr. T. L. Church, M.P., and Very Rev. Canon H. A. Alderwood, Superintendent, Indian School Administration, Church of England in Canada.

The following members of the delegation were questioned: Reverend Father J. O. Plourde, O.M.I., Reverend Father Fergus O'Grady, O.M.I., Reverend Father A. Charron, O.M.I., Reverend Father Gérard Forcade, O.M.I., Indian Residential School, Grouard, Alberta.

Cardinal McGuigan thanked the Committee for their courtesy and for the "kindly reception" given to the presentation of the brief.

The Chairman expressed the appreciation of the Committee for the help given to the Committee in its deliberations.

The Committee adjourned at 6.10 p.m., to meet again on Thursday next, 29th May, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

May 27, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: This morning we are honoured in having with us and on behalf of the committee I extend a welcome to Cardinal McGuigan, of Toronto, representing the Roman Catholic Church in Canada. Associated with him are a number of church dignitaries. In due course I will ask to have them introduced to the committee. You have their brief in front of you. If it is your pleasure, when the brief is being presented, as is our custom, no questions will be put to the person reading the brief. After the presentation of the various briefs by the delegation questions may be submitted to the witnesses. All members of the committee will be given that privilege. I presume you are aware of that. If there are no preliminary matters to be brought up I am now going to ask Cardinal McGuigan if he will kindly introduce the delegation.

Cardinal McGUIGAN: Mr. Chairman, honourable members of the Senate and House of Commons, gentlemen: I am happy to present to you the members of the group present here representing the workers of the Roman Catholic Church among our Indian and Eskimo people. To my right there is His Grace Archbishop Vachon, Archbishop of Ottawa. To my left are Rev. Father Plourde who will read the brief; His Grace, Archbishop Murray of Winnipeg; His Excellency, Bishop Belleau of James Bay. Then we have with us Rev. Father Brachet, principal of the Fort Alexander (Manitoba) Indian residential school; Rev. Father Fergus O'Grady, principal of the Kamloops (British Columbia) Indian residential school; Rev. Father John McKay, Indian missionary of the diocese of Sault Ste. Marie; Rev. Father Gérard Forcade from the Grouard Indian residential school in Alberta; Rev. Father Laviolette, editor of the *Indian Missionary Record*, of Lebret, Saskatchewan; and Rev. Father Adrian Charron, principal of the Indian residential school at Cluny, in southern Alberta.

May I add I am happy to associate myself with the group here present and to underline the interests of the Catholic Church in our work among the aborigines of our country. History records that at the very beginning of Canada's history missionaries accompanied the early explorers to plant the cross of Christ and to bring the glad tidings of the gospel and Christian civilization to the Indian people. The story of Jean de Brebeuf and his companions is written in the colours of blood, zeal and the all consuming love and hopes of these earlier missionaries for the people whom they came to serve. Their successors of to-day are first of all interested in the spiritual welfare of the people confided to them, but they are nevertheless also deeply interested in everything that pertains to the civic, social, health and educational welfare of the people among whom they work and whom they love. I therefore ask all to give full consideration to the various topics and points of view presented by this Catholic group.

The CHAIRMAN: Thank you very much, Your Eminence. Father Plourde would you prefer to sit over here or to remain where you are?

Mr. CASE: I think we might hear a little better if he would come over here.

The CHAIRMAN: The reason for sitting over here is so that the official reporter will get everything on the record and so that the members of the committee may hear clearly what is being said. If you so desire you may be accompanied by other members of the delegation.

**Reverend Father J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training, Oblate Commission, called:**

The WITNESS: The brief which will be read to you this morning represents the views of the Catholic hierarchy of Canada and of all the Catholic Indian missionaries. It is also presented in the name of the Catholic religious orders of women who are giving their services to Catholic missions.

**SHORT HISTORICAL SKETCH**

It was in the year 1615 that the Franciscans opened their first mission and school among the Indians. The Fathers of the Society of Jesus arrived in Canada in 1625 and the Sulpicians in 1627. From the conquest of Canada by England, in 1763, after the signing of the Treaty of Paris, until 1818, which marks the arrival of the first Catholic missionaries in the Northwest Territories, little was done for the Indians, except in the province of Quebec and the maritimes.

With the return of the Reverend Jesuit Fathers to our country in 1842, and the arrival of the Reverend Oblate Fathers in western Canada, in 1845, a new era of civilization dawned for the Canadian Indian. The newly formed Indian Affairs Branch decided to enlist the co-operation of the Christian Churches in educating and civilizing the Indian people. This partnership has continued until the present day.

As at least 65,000 of the Indians of Canada are members of the Catholic Church, constituting over 52 per cent of the total Indian population, we feel that it is our right and duty to present to your committee our views on education, on health and general welfare, of this large Canadian group of citizens who now total 125,686 (1944 census).

**EDUCATION**

As the education of the Indian child is of paramount importance we have decided to give this our first consideration.

The family, the church, and the state are the three responsible agencies entrusted with the education of Indians.

The family is the source and origin of life. The parents are the natural teachers. The family is the first school where children learn to think and act, and family education is therefore a fundamental element in the life of the child.

To the beneficent action of the family the church adds her spiritual support. It is her desire to advance the cause of the education of our Indians to the highest degree. To this end and in closest co-operation with the government she devotes her spiritual and material resources. We are most anxious, therefore, that the teachers in our schools have all the academic qualifications required of teachers in our provincial schools. Lack of such qualifications in the past may have hindered to a degree in some cases the progress of our Indian children.

The church cannot fulfill her educational vocation adequately except with the harmonious co-operation of the state. Christian educators, therefore, are fortunate that the government of Canada, respecting the Christian heritage which our forefathers held sacred has consistently maintained a policy upholding Christian ideals before her people. The Prime Minister, The Right Honourable,

W. L. Mackenzie King, clearly stated the government's policy when in his London speech on May 11, 1944, he said: "We are fighting to defend Christian and democratic ideals".

The Canadian Indian was a wartime partner in the fight for Christian ideals, and we are sure that the government will continue to support his claim, and his right for his children to denominational schools. For our part, the moral and intellectual training given through the Christian schools is a guarantee to the Canadian government, that our Indians will maintain themselves individually, and socially, in proportion to their native ability, as trustworthy citizens of our great democracy.

We would not wish, therefore, any change in section 10, paragraph 2, of the Indian Act, which reads "such schools shall be the nearest available school of the kind required and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices".

For nearly a century these schools have given proofs of their worth, and generally speaking, our Indian fellow-citizens have been satisfied with the results obtained. Of course, this system is not perfect and the improvements which can be suggested and implemented are numerous enough. We sincerely believe, however, that the Indian Affairs branch, with the close co-operation of the various churches employed in this educational task, has rendered a fair service to our Indian brethren.

However, one must not forget that many of the improvements which are now suggested would have been put into effect a long time ago if the people of Canada had been aware of their necessity, and if the Canadian government had been more generous in appropriating funds for Indian education.

## DAY AND RESIDENTIAL SCHOOLS

### DAY SCHOOLS

We may be asked what kind of educational institutions we prefer in the present system. There are day schools and residential schools.

Broadly speaking, we may say that we make no particular choice as to the kind of schools that the department provides for our Indians. In some localities, the day school seems well fitted to give our Indian children the kind of education needed. In other parts of our broad country, with its unsettled wildernesses, the residential school is more suitable.

We have in mind, as regards day schools, such reserves as the Six Nations, Caughnawaga, Oka, Lorette, Pierreville, St-Régis and some sections of British Columbia, and we are inclined to the opinion that in such places day schools have proven sufficient to attain the ends required.

Our neighbours to the south are still groping for the best methods to be adopted in the education of American Indians. From personal observation their improved day schools with transportation facilities by bus for all children, a substantial hot meal at the noon-hour, well laid out dining-rooms in the basement of the school buildings, comfortable homes for the teachers, have not resulted in raising the daily attendance average to the point where it could compare favourably with that of white schools. We are informed that the average in some districts is very low, in fact, lower than our Canadian figures. In 1939, the average attendance in our Indian day schools was 60.5 while for the fiscal year ended March 31, 1946, it was 70.19, which shows a betterment of a little more than 10 per cent. Possibly this was due to the payment of family allowances.



We may be pardoned if we do not refer to the present deficiencies of Indian day schools on isolated reserves and in unsettled districts. We believe that members of your committee realize that many of our school buildings leave much to be desired and the living quarters provided for our school teachers, when there are any such quarters, are certainly uninviting as far as the comforts of life are concerned. However, these are matters of which the Indian Affairs branch is fully aware and we are promised that measures are now being taken to remedy the defects in our day schools.

RESIDENTIAL SCHOOLS

It is often stated that residential schools do not provide the educational advantages that Indian children require and exception is taken to the separation of the parents and children for several months each year. We seriously doubt the validity of this opinion.

When we see the sons and daughters of our rich families, here in Canada, being placed in residential schools so that they may receive a more thorough training and when again the parents of such children are willing to deprive themselves of their company during their formative years, it is very difficult for us to condemn such institutions as being unfit and unsuitable to train these children in the ways of our common civilization and in the attainment of Christian ideals and principles.

Our own Indian brethren are gradually appreciating more and more their residential schools. Recruiting, which in past years was one of the main problems of school principles, has now become, with very few exceptions, a matter of having to refuse applications. Some schools have a yearly increasing waiting list. The best proof of what we have just said can be found in the allocation and payment of family allowances. It was thought, when this legislation was adopted, that enrolment at our residential schools would decrease, but the contrary has taken place. Moreover, our reserve Indians who only a few years ago, were not even thinking of Residential schools, are now begging for them.

This has all come about, we believe, because the educational and general training imparted in these institutions has been far superior to anything which could be given to pupils of Day schools, with very few exceptions.

In appendices DO and DP (pages 340 and 341, 1947 Minutes) submitted by the Superintendent of Welfare and Training, you will find figures which may be of interest to you in passing judgment on the relative merits of both systems. For the year ending March 31st, 1946, with an enrolment close to four hundred children less for Residential schools than for Day schools, you will notice that Residential schools pupils from grade four up to grade nine, are considerably higher in numbers than in Day schools:—

	Residential Schools	Day Schools	Difference in Favour of Residential Schools
Grade 4 .....	1120	957	163
Grade 5 .....	1130	720	410
Grade 6 .....	705	458	247
Grade 7 .....	416	270	146
Grade 8 .....	228	188	40
Grade 9 .....	78	33	45

In those six grades that is a difference of 1,051 more in the residential schools than in the day schools.

We are of the opinion that the daily discipline in force in our Residential schools, which calls for rising at a given hour, spiritual exercises also at a stated time, plus breakfast, dinner and supper, intermingled with hours of class-work and recreation, have in themselves more power to stabilize the nomadic habits of our Indian brethren than any other system of education.

With an experience of over one hundred years the foregoing considerations incline us to favour the residential schools. It may prove interesting to the members of the committee to read the following extract from the commission appointed by the United Church in 1936 to study the relative merits of residential and day schools. Their conclusion was: "The Commission believes that, properly officered, the residential school on the reserve has nearly all the advantages."

However, in the case of both residential and day schools, additional funds must be made available in order to provide increased accommodation and to make it possible for those actively engaged in the work to keep abreast of modern educational requirements.

The committee may be interested in knowing the percentage of Indian children, by province, who are unable at the present time to attend any school, whether day or residential, because of want of class room space. These percentages, according to province, are as follows:

	Per Cent
Alberta .....	37
British Columbia .....	41
New Brunswick .....	30
Nova Scotia .....	15
Manitoba .....	38
Ontario .....	40
N.W. Territories .....	70
Quebec .....	60
Saskatchewan .....	29
Yukon Territory .....	50
Prince Edward Island .....	60

The percentage for the whole dominion is 42 per cent. These figures may vary a little because they are based on the 1944 census as far as Indian population is concerned, and on the 1945 Report of the Indian Affairs Branch. Nevertheless, even if there are slight alterations in the percentages, due to the influence of family allowances, they present a picture which all Canadians will wish to improve.

To attain this end we are told by the superintendent of welfare and training that at least four hundred class rooms should be provided immediately. It may not be possible to build that number of class rooms in one year, but the program should be accelerated so that within five years, our Indian Affairs Branch could proudly state that every Indian child in Canada, wishing to secure an education, had a school close enough to his home where this laudable ambition could be realized.

It is very difficult at the present time to find qualified teachers for all our Indian day schools and even our residential schools have had to grapple with this problem and have accepted teachers who were not always fully qualified. If the teachers, in both residential and day schools, were to become civil servants, with superannuation provision and the payment of salaries by the Indian Affairs Branch, it is possible that most of our personnel difficulties would disappear.

We often hear criticism of the residential schools on the grounds that they are more expensive to operate than day schools. This is to be expected, but we would like to remind the committee that the family allowance is not paid when an Indian child is in a residential school and, therefore, the government of Canada which provides the funds for all expenditures is saving the annual amount of family allowances which is paid when an Indian child is attending a day school.

For the additional per capita cost the children at residential schools are provided with clothing and other advantages not received at day schools. May we specially instance the direct physical care that is given to each child in a residential school.

### SPECIAL RESIDENTIAL SCHOOLS FOR GIRLS SIXTEEN TO EIGHTEEN YEARS OF AGE

There is one last recommendation that we wish to make on the subject of education.

As provided by the Indian Act the compulsory age for attending school is from seven to sixteen and at the latter date, most Indian parents expect their children to return home.

The missionaries engaged in Indian education agree that this is too young an age to discharge most girls. From the moral standpoint alone, we feel that the government of Canada would be justified in providing in each province, special schools for girls of sixteen to eighteen who have previously attended residential or day schools. Special educational courses could be provided to fit them for their future life and over and above that, it would provide a real opportunity to inculcate moral principles during these transitional years. By so doing their moral stamina would be strengthened and much trouble and expense would be avoided, thereby helping them to make a real contribution to Canadian citizenship.

As provided in the Indian Act, Indian schools are denominational in character. The church approves this system of education and urges that it be continued in the amended Indian Act. In this matter, it wholly approves the opinion of Very Reverend E. Ryerson, Chief Superintendent of Education of the province of Ontario from 1844 to 1876, a member of our present United Church, as found in a memorandum on Indian Education, forwarded to George Vardon, Assistant Superintendent General, Indian Affairs, Montreal, from Toronto, on May 26, 1847:—

I conceive religious instruction to be absolutely essential, not merely upon general Christian principles, but also upon the ground of what I may term Indian economics; as it is a fact established by numerous experiments, that the North American Indian cannot be civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with, if not by the influence of, not only religious instruction and sentiment but of religious feelings. The theory of a certain kind of educational philosophy is falsified in respect to the Indian; with him nothing can be done to improve and elevate his character and condition without the aid of religious feeling. This influence must be super-added to all others to make the Indian a sober and industrious man. Even a knowledge of the doctrines and moral precepts of orthodox Christianity, with all the appliances of prudential example and instruction, is inadequate to produce in the heart and life of the Indian, the spirit and habits of an industrial civilization, without the additional energy and impulsive activity of religious feeling. The animating and controlling spirit of each school establishment should, therefore, in my opinion, be a religious one.

As a church, we endorse the above views and express the hope that the members of this committee will urge the continuance of the present educational policy of the department.

### HOSPITALIZATION

Considerable progress from a physical standpoint has been accomplished by the branch of Indian Affairs, and since 1945 by the Department of National Health and Welfare, in the care of the health of our Indians. From an expendi-



ture in the year 1879 of \$3,901 to an estimated budget for 1947-1948 of \$4,103,390, there is written a history of humanitarian endeavour which does honour to our Canadian government. The church has only praise and commendation for such services.

The religious aspect of the hospitalization program of our Indians falls necessarily within the scope of the Christian churches, and with this aspect the archbishops and bishops of Canada are deeply concerned.

As the Department of National Health and Welfare provides our Indians with full hospital facilities, and in turn obliges them to enter such hospitals when in need of medical treatment, we would request that the department safeguard a civic right for the Indian which is enjoyed by the white citizen of Canada, viz., freedom of choice in hospitalization. From the earliest days the Christian church has fulfilled her obligation of ministering to the sick, especially to the poor and to the outcast. The department will, no doubt, wish to support a continuation of this time honoured tradition.

It is a special glory of the church in Canada that she has maintained this ancient tradition. The truly magnificent effort of the religious communities of women in supporting, staffing, and maintaining hospitals throughout the length and breadth of our land is an eloquent testimony to the undying spirit of Christian charity. Moreover, the fact that Catholic hospitals are maintained to serve citizens of Canada no matter what their religious or irreligious convictions, proves that the work of hospitalization is undertaken in no narrow partisan spirit. The recognition of this fact is of paramount importance when we realize that the work of this committee is to extend the existing benefits enjoyed by our white population to our Canadian Indian.

We, therefore, most urgently request that the Canadian government grant to the Catholic Indian population the right to Catholic hospitalization. The teaching of the Catholic church is, that the most important moment in life, that on which hinges one's eternal salvation, is the hour of death. That is why she deems it of the utmost importance that she be able to minister to her children in that supreme moment.

In order, therefore, that the religious needs of our Indians be adequately attended to during hospitalization, we would request that, when and if it is found impossible to maintain a Catholic or denominational hospital, the department guarantee proper chaplaincy service, and provide on a pro rata basis Catholic nurses, without prejudice to the rights and privileges of other Christian denominations. We would, moreover, express the sincere hope that officials of our government hospitals offer a full measure of co-operation to our chaplains in the discharge of their duties, that the best possible understanding and harmony may be maintained to the continued benefit of our people.

Furthermore, we would suggest that the government provide a chaplain service for undenominational hospitals in order to care for the mental and moral well-being of the patients in accord with their religious beliefs. Experience has shown that this spiritual benefit tends to advance the physical recovery of the sick. The church on her part will provide chaplains adequately trained to fulfill this particular work in wholehearted co-operation with the government's requirements.

As, at present, there exist Catholic hospitals provided by our church, we present this final request to the government, that it give its stamp of approval to these institutions, and permit an increase of such institutions when and where they are deemed necessary for the continued spiritual and physical welfare of our Indians.

Our present request regards only the principle of freedom of religious choice and not the appropriation of public money for the complete constructions of hospitals to be placed under the care or management of our bishops. Neither do

we wish this liberty of choice to be a source or cause of extra expense to our government. In the discussion of this problem with the department, we have often stated that we are prepared to meet all competitive costs as to the per diem rates either established by non-government institutions or those of the hospitals built and maintained by the Department of Indian Affairs.

### GENERAL WELFARE

Welfare being defined as the organized community or corporate efforts for the social betterment of a class or group, we claim that in the Indian Affairs Branch, with its Ottawa staff, its provincial inspectorates and its many agencies, we have that community or corporate organization which, if properly directed, can effect for our Indians reforms which will better their lot and improve their general standard of living.

Reverend Thompson Ferrier writing some years ago on the subject: "Indian Education in the Northwest", very pertinently said: "To make any real advancement the Indian must have a home wherein will centre all his interest, hope and ambitions. The refining and ennobling influences of family life will be his greatest boon."

With the above in mind we advocate every social program for the betterment of family life among the Indian people.

We direct special attention to the following:—

#### 1. *Indian Housing*

This has been neglected on too many reserves. We do not criticize the Indian Affairs Branch but we urge in the strongest possible manner that every possible means be taken to improve the conditions which on some reserves are really appalling.

The houses which our Indians are longing for are not pretentious and need not possess, at least for the present, the conveniences of our city dwellings. We believe that a house 20' by 24', divided in two, with a lean-to kitchen, and a second floor that could, in time, be used for sleeping quarters, would meet with the approbation of almost all our Indians.

On some reserves, where lumber is available, small sawmills have already been erected by the department to provide lumber for such homes; but this initiative should be extended to all reserves so that within a short time, at most four or five years, all our Indians would have a comfortable home.

#### 2. *Treaty Rights and Obligations*

In world history the British nation has been outstanding in its recognition of the rights of minorities and in its scrupulous fulfillment of promises made to such groups. To the Indian, the treaties represent a decision of the British Crown and therefore we believe that agreements contained in the treaties should be carried out to the fullest possible extent.

#### 3. *Old Age Pensions*

It appears to us both fair and desirable that this phase of social legislation should be extended to the aged Indian who would thus be assured of a definite amount for his declining years of life.

### INDIAN AGENTS AND FARM INSTRUCTORS

Indian agents are possibly the most important official body of our Indian administration as they come directly and daily in close contact with the Indians. It is, therefore, most important that fully qualified persons be chosen for these positions. The present situation of limiting choice to the electoral division in which the agency is located does not always allow the extent of choice which the importance of the position demands.



We definitely recommend that when advertising for Indian agents the Civil Service Commission be directed to open the position to candidates resident in the province where the agency is located and, if no suitable candidate can there be found, to candidates elsewhere in Canada. By so doing we believe that the opportunity of obtaining better officials would be increased.

What has been said regarding Indian agents applies also in the case of farm instructors and we make the same recommendation regarding their selection. It should not be overlooked that the farm instructor on an agricultural reserve is a very important person. If he is not capable or alert, co-operative with the Indian and anxious to do his very best for those under his charge, the reserve would be better without him. A competent farm inspector can also do considerable follow-up work with male Indian graduates from our residential schools, as these should be encouraged to make practical use of the training they have already received.

### INDIAN CO-OPERATIVES

Our missionaries were instrumental in setting up three co-operatives for the benefit of the Indians. One is situated at Nootka, Vancouver Island, B.C., the second at the Indian residential school of Cowessess, near Grayson, Saskatchewan, and the third at Grouard, Alberta.

Reverend Father P. J. Sheahan, O.M.I., after describing the difficulties in acquainting his Indians with the principles of co-operation, summarizes the history of the establishment of this cooperative in the following words: "In 1943 money had been coming in for a couple of years due to increased wages and prices on fish. Boats became easier to get when the Japs left the coast. Some of our boys attended a meeting at Cape Mudge. They saw there how the Indians had built up their reserves through co-operation. When they returned, they got together to tell their stories of what they had seen and followed through with meetings, planning a co-op. of their own.

At the first of the year they began getting out logs to build a fishfloat. A small company in Vancouver staked them to the lumber to build the ice-house on the float. By the first of April they were ready to buy fish. They sold the fish to this company on a commission basis. In 1944 they sold \$29,000 and in 1945, \$23,000 worth of fish."

He adds: "I must say that our organization is as yet in its experimental stage. We have our committee with its president, secretary, and two advisors. We buy the fish from the individual fishermen, the daily catch is taken, weighed and iced on the camp. When the packer come in each week, we are paid for the fish and then statements are made out for each fisherman. We pay regular prices for fish and receive one cent per pound commission, from the purchasing company.

As a result of this co-operative movement, our Indians are gradually building up their fish fleet and hope to have quite a good one in a relatively short time. They are also planning on building new homes and repairing old ones which have been neglected for quite a number of years, due to the fact that they had to work in the canneries and did not make enough money to improve these homes."

The second co-operative was founded in 1940 at the Indian residential school of Cowessess, near Grayson, Saskatchewan. It is only a store but one which is owned by the Indians to the extent of 51%. There are ten half-breeds and seven white shareholders, besides the Indian group. The Indians last year received \$288.10 in dividends, the half-breeds \$71.32 and the whites \$38.04. The total turn-over in 1945 was over \$20,000. The manager is a white man. The most significant result of this co-operative has been a marked reduction in the consumption of alcoholic beverages. Formerly, Indians went either to Grayson or Broadview to purchase their merchandise. Very few go, at the



present time. They like their store, openly boast of it, often make the statement that the prices obtained are lower than in other stores and are particularly proud of the dividends which they receive yearly.

The third co-operative is located at Grouard, Alberta. It was founded in 1943 by Reverend Father Forcade. As now functioning, it is made up of a co-operative store, a credit union, a small manufacturing plant and a post office. It employs at times as many as thirty Indians and half-breeds who are engaged as clerks in the store, the post office, the credit union and as help in the manufacturing plant. The slippers which are now on exhibit, were made under Father Forcade's direction by the natives, as it has been his objective to employ only such labourers in the manufacturing of these slippers, as well as in the management of the store, the post office and the credit union.

The Edmonton *Bulletin* of November 24, 1945, under the heading of: "Birth of Indian Slipper Industry", by A. C. Ballantine, has this to say about this co-operative: "On February 1, 1943, the first co-operative general store was opened with \$15 worth of merchandise. To-day it handles a monthly turn-over of close to two thousand dollars in grocery, dry goods, men's, women's, children's clothing.

The slipper factory was opened on March 17, 1944 on the same co-operative basis and the credit union, the Wall street of Grouard, on March 1st, 1945. These various activities are housed in one two-storey log building, 30' by 50', over whose door is a sign which says: GROUARD INDIAN CO-OPERATIVE."

Reverend Father Forcade may be able if time permits to tell you later on, what the establishment of this co-operative has done for the Indians and half-breeds of the Grouard district.

Considerable help in the form of a loan from the Indian revolving fund was given to Father Forcade.

These co-operatives have done a great deal to inspire Indians who are either shareholders or workers, with a sense of responsibility, of ownership, of management which it is difficult to appreciate unless one knew the conditions that existed on each of these three reserves before the establishment of these co-operatives and we believe that there may be in this special method of approach to our Indian problem, something worth developing more fully.

If we mention these activities to the committee to-day, it is in the hope that some form of help, along these lines, may be made available to our Indians through necessary changes in the Indian Act.

### POLICE PROTECTION

Wherever possible we believe that large Indian reserves should be under the protection of the mounted police. The Indian, generally considered, has almost a reverential feeling for the members of that police force. David Laird, Special Indian Commissioner, who negotiated the Blackfoot treaty in the year 1877, used the following words to convince the Blackfeet of the advantages which they would have from their treaty: "When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, you quarrel amongst yourselves, she sent the police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done. I have to tell you how much pleased the Queen is that you have taken the police by the hands and helped them, and obeyed her laws since the arrival of the police. She hopes that you will continue to do so, and you will always find the police on your side if you keep the Queen's laws."

The above shows that the Indians over seventy-five years ago, had a reverential fear and great deal of friendship for the mounted police. We believe that the same sentiments actuate the Indians to-day and that the presence of

a mounted police detachment on each large reserve would help to keep law, prevent excessive drinking, regulate morals, temper the waywardness of young women and young men.

We are informed that the city of Ottawa spends annually over \$500,000 for police protection. This is equal to \$3 per head, per year. If an amount equal to that expenditure were authorized for the police protection of our Indians, nearly all the excessive drinking, foolish expenditure, taxi cab driving, would almost automatically cease and our Indian brethren would be the first to thank the government for giving them the police protection which their white fellow citizens enjoy.

## RESERVES

Several projects regarding Indian reserves have been submitted to your committee. Some of these submissions contemplate in time the complete disappearance of the Indian reserves. The claim is made that the reserve segregates our Indian fellow citizens from the rest of the population, that it keeps them somewhat in bondage and prevents them from acquiring those habits of self-reliance which will conduce to make of them useful citizens of Canada.

We cannot agree with most of these sweeping statements. It must not be forgotten that the reserves were granted to our Indians in most cases by bi-lateral treaties and that they can be dispossessed of their lands only if they agree to surrender them. From reports received in connection with this present enquiry it does appear that the Indians are very firm in their determination to keep their reserves intact for themselves and their children. They do wander away from the little homes which they have on these reserves, either for hunting, fishing or trapping, or again for finding gainful work but they look upon their reserves as their home and are always glad to return to them. We believe that a sentiment of this nature is good and should not be done away with for the possible illusory gain of an acculturation which at best is very far distant.

The perpetuation of ownership by our Indian bands of their reserves can certainly be compared to the great land holdings of our English aristocracy which no court has ever put in doubt. The wealth of those landed estates is in most cases due not to the administrative ability of the owner, but to the astuteness and business ability of his estate agent. The Indian in this country should also possess qualities which a large landowner in the old country always expects his estate agent to possess.

As far as we can view the future of our Indians, we believe that all that civilization can give them, can be acquired by each individual living on his reserve. Brig. Martin, once a treaty Indian of the Six Nations reserve, ended his testimony before your committee with the following words: "I want to go to the Six Nations reserve sometime". That, in our opinion, expresses a longing of all our Indians and we fail to see why such noble aspirations should be taken away from them.

## VOCATIONAL TRAINING

A great deal of discussion has taken place about the most suitable curriculum to adopt in our schools. Some favour the half day system, others the full day class work. We cannot give to the Indian child both the full day class curriculum and also adequate vocational training at the same time. For most Indian children it seems that the half day system, completed by properly organized and practical vocational training would be satisfactory. In vocational training we give our boys lessons in gardening, carpentry, shopwork, poultrying, etc., while the girls receive a full home economics training. Vocational training in our schools should be planned according to local needs of the Indian population, and should be given by competent instructors.



There is a regrettable lack of organized effort in continuing on the reserves the training given in the schools. It is absolutely necessary that, in order to assure results from vocational training, the Indian Affairs Branch organize a practical follow-up system for the school graduates, in co-operation with the school officials.

### HIGHER STUDIES

In the management of our day and residential schools, we think the church can truthfully say that it has done its utmost to give every child, whether boy or girl, who wished it, a chance of advancing in his studies from the last grade to high school and from high school to the university. As a result, both our clergy and our sisterhoods have as their members, a few who are either treaty Indians or have considerable Indian blood. Whilst it is impossible for us to give you, at the present time, the names of the young girls who have become members of our religious orders, we can point with pride to Reverend Father Michael Jacobs, from the Caughnawaga Indian reserve, a member of the Society of Jesus, now in charge of the St-Régis Catholic Mission and to Reverend Father George M. White, an Oblate Father from the St-Régis reserve. We believe that more young men and women from our various schools will eventually reach the university and complete their studies if given sufficient help from the department and we are glad to say that this has never been wanting.

We are, therefore, very much in favour of higher education and we believe that in time, a sufficient number of our young men will attain the professions to take the place, for their own people, of our present nurses, teachers, lawyers, and doctors.

### LIABILITY OF INDIANS TO PAY TAXES

This is a matter on which Indian treaties have a direct bearing. Some claim that their reserves should at all times be tax-exempt and that all personal property held by Indians on these reserves should equally be non-taxable. We must not break faith with our Indian brethren. If in their treaties there is anything to prove their contention we fail to see why we can abrogate their rights by legislation which they, themselves, will not have previously accepted.

Our Indians, of course, are at the present time exempt from real estate taxes only, as everything they buy in food, clothing, ammunition, and fishing tackle, is subject to the ordinary taxes which Canadian white people are paying.

### SOCIAL SECURITY

As no advancement in religion, morality, culture and social life can be made by any group of people unless there is a certain degree of comfort and prosperity achieved in the community, it follows that our Indian brethren have a right to that degree of comfort which will render possible the practice of these civic virtues. This temporal comfort can be attained only through their own personal labour. That is the opinion of our missionaries and that has been their aim ever since they set foot among this people. We all believe that the Indian can learn to be a practical farmer, can become a capable worker in practically every trade and adapt his mode of living to a few methods of gainful commercialism. But for the present we submit that it may be the duty of the government to supply our Indians with gainful work.

For the time being, it is possible that farming on our large reserves, both east and west, where the soil is rich, could be promoted by the Indian Affairs Branch to a greater degree than heretofore.

The suggestion on several occasions has been made to our officials that co-operative farming under the leadership of trained agriculturists might be tried on one or two reserves and if proven successful, extended to other sections. Such a farm might consist of 1,200 acres and be provided with suitable buildings for the staff. It should be well stocked with milch cows, beef cattle, hogs,



and poultry. The Indians taking part in this co-operative farming project would be paid a weekly salary. That part of the grain crop, not essential for feeding the cattle, could be sold and the revenue employed for the payment of salaries. Milk, butter and eggs could be sold to the workmen. A general training in the use of power machinery for farms could be given those who would be interested in taking such a course.

This mode of farming has proven satisfactory in many parts of our country among our white population and in some cases has made money for its owners and therefore we cannot see why it could not be tried on our reserves for our Indian fellow citizens where, among other advantages, there would be no taxes to pay. We seem to be afraid of the investment necessary to launch such a scheme, but we are dealing with human beings in this affair and the investment of \$25,000 to \$30,000 in a project which does seem to offer great opportunities to our Indians, should, at least, be tried. If officered by well trained agriculturists, accustomed to dealing with men, and with large farm operations, we are unable to visualize anything but success.

The agriculture department of the Dominion of Canada has established such farms for the benefit of our white farmers and settlers, in every part of Canada. Why then could not such a scheme be attempted for our Indian brethren? Originally, and as found by our discoverers, many Indian tribes were agriculturists, and thus earned part of their living from the soil. Would not a scheme of this kind awaken in them at latent atavism rich in promise?

Principals of the Indian residential schools conducted under our auspices, as well as several of our missionaries, have given the Indians practical demonstrations for many years past in cultivating land and thereby encouraging the Indians to use arable land for growing gardens.

It may be interesting to you to know that we have cultivated land successfully as far north as Albany on the west coast of Hudson Bay and Fort George on the east coast of Hudson Bay and in Northern Alberta at Vermillion and in the Northwest Territories at Fort Resolution and even at Aklavik.

### FUR CONSERVATION

The various projects of fur conservation established by the Indian Affairs Branch are worthy of very special commendation and we hereby wish to give it our sincere approval. Among its definite advantages, as far as the Indians are concerned, is the way or manner in which the pelts are gathered, sold and the proceeds distributed among the participants, by monthly instalments.

If the same method of sales and money distribution were adopted for all furs for the whole Indian population of Canada, it is possible that we would have in that new departure from old established customs, something which would make our Indians more provident, independent, and prosperous. In other words, it would be a help in their gradual ascent to civilization.

### ADMINISTRATION

From 1880 to December 31st, 1936, the Indian department was a separate one under the control of the Minister of the Interior. Its chief officer had the title of deputy superintendent general. As such he had the powers of a deputy minister and could, at all times, have direct approach to the minister and personally formulate policies. As a result, all major problems affecting the education and general welfare of our Indians could be discussed with him and decisions arrived at on which we could generally rely.

It is the sincere wish of our missionaries, and they hereby respectfully submit it, that this administration policy be restored.

We thank the joint committee of honourable Senators and members of the House of Commons for the opportunity afforded us to present this brief.

It is also our very sincere desire to thank the Minister of Mines and Resources, the Honourable J. A. Glen; the Minister of Health and Welfare, the Honourable Paul Martin, with all the Ottawa officials concerned with the

training, health and welfare of Indians, principally the Director of Indian Affairs branch, Mr. R. A. Hoey; the Director of Indian Health Services, Dr. P. E. Moore; together with their doctors, nurses, provincial inspectors, and their agents, for their assistance to our church in her missionary work among the Indians. We have, at all times, benefited by their co-operation and their advice, and we have tried to deserve their friendship.

### INDIAN DAY SCHOOLS CONDUCTED UNDER CATHOLIC AUSPICES

#### *Prince Edward Island*

Lennox Island

#### *Nova Scotia*

Afton

Eskasoni

Middle River

Millbrook

Salmon River

Shubenacadie

Sydney

Whycocomagh

#### *New Brunswick*

Big Cove

Burnt Church

Eel Ground

Eel River

Kingsclear

Oromocto

Red Bank

St. Mary's

Tobique

Woodstock

#### *Quebec*

Caughnawaga

Rupert's House

#### *Ontario*

Attawapiscat

Birch Island

Burwash

Cape Croker

Christian Island

Dokis

Garden River

Garden Village

Golden Lake

Goulais Bay

Gull Bay

Kaboni

Lake Helen

Lower French River

Long Lac

Mississauga River

Mission Bay

Mobert

Pic

Rabbit Island

Sagamook

Seine River

Serpent River

Sheshewaning

West Bay

Whitefish Bay

Whitefish Lake

Wikwemikong

#### *Manitoba*

Berens River

Cross Lake

Ebb and Flow Lake

Hollowwater River

Island Lake

Jack River

Lake Manitoba

Nelson House

Little Grand Rapids

Pine Bluff

Valley River

Waterhen River

#### *Saskatchewan, Alberta,*

#### *N.W.T. & Yukon*

Big River

Long Lake

St. Francis

Fort Simpson

Fort Smith

Burwash Landing

#### *British Columbia*

Anaham Lake

Chehalis

Shesley

Fort Babine

Homalco

Inkameep

Katzie

Moricetown

Okanagan

Pemberton

Penticton

Prophet River

Seabird Island

Skwah

Songhees

St. Catherine's

Squamish

INDIAN RESIDENTIAL SCHOOLS CONDUCTED  
UNDER CATHOLIC AUSPICES

School	Government Owned	Church Owned	Pupilage
<i>Nova Scotia—</i>			
Shubenacadie, Sec. Clergy.....	x		160
<i>Ontario—</i>			
Fort Frances, Oblate Fathers.....	x		85
Kenora, Oblate Fathers.....	x		85
MacIntosh, Oblate Fathers.....	x		110
Fort Albany, Oblate Fathers.....		x	80
Fort William, Sisters of St. Joseph.....		x	95
Spanish, Jesuit Fathers.....		x	250
<i>Manitoba—</i>			
Cross Lake, Oblate Fathers.....	x		120
Fort Alexander, Oblate Fathers.....	x		120
Pine Creek, Oblate Fathers.....	x		120
Sandy Bay, Oblate Fathers.....	x		130
<i>Saskatchewan—</i>			
Beauval, Oblate Fathers.....	x		80
Cowessess, Oblate Fathers.....	x		90
Duck Lake, Oblate Fathers.....	x		175
Guy, Oblate Fathers.....	x		125
Muscowequan, Oblate Fathers.....	x		105
Qu'Appelle, Oblate Fathers.....	x		280
St. Phillips', Oblate Fathers.....	x		90
Onion Lake, Oblate Fathers.....	x		120
Thunderchild, Oblate Fathers.....		x	120
<i>Alberta—</i>			
Blood, Oblate Fathers.....	x		165
Blue Quills, Oblate Fathers.....	x		140
Crowfoot, Oblate Fathers.....	x		100
Sacred Heart, Oblate Fathers.....	x		65
Ermineskin, Oblate Fathers.....		x	165
Holy Angels, Oblate Fathers.....		x	80
Grouard, Oblate Fathers.....		x	90
Joussard, Oblate Fathers.....		x	125
Sturgeon Lake, Oblate Fathers.....		x	90
Vermilion, Oblate Fathers.....		x	65
Wabasca, Oblate Fathers.....		x	110
Youville, Grey Nuns.....		x	160
<i>British Columbia—</i>			
Kamloops, Oblate Fathers.....	x		295
Kootenay, Oblate Fathers.....	x		100
Kuper Island, Marist Fathers.....	x		100
Lejac, Oblate Fathers.....	x		175
Sechelt, Oblate Fathers.....	x		90
Cariboo, Oblate Fathers.....		x	135
Christie, Oblate Fathers.....		x	110
Mission, Oblate Fathers.....		x	210
Squamish, Sisters of Jesus.....		x	65
<i>Northwest Territories—</i>			
Aklavik, Oblate Fathers.....		x	40
Ft. Resolution, Oblate Fathers.....		x	80
Providence, Oblate Fathers.....		x	65
<i>Quebec—</i>			
Fort George, Oblate Fathers.....		x	20

Indian Residential Schools—Government Owned: 25  
 Indian Residential Schools—Church Owned: 20  
 Total pupilage..... 5,380



THE GROUARD INDIAN CO-OPERATIVE ASSOCIATION LTD.  
OF GROUARD MISSION, ALBERTA

*The why and wherefore*

The Grouard R.C. residential school has an old pupils' organization which is now known under the name of "The Grouard Indian Co-Operative Association Ltd.". It is incorporated within the laws of the province and it has been registered with the board of public utilities. The aim of the association is to sponsor activities that will tend to congregate the Indian people into an Indian community.

Our Indians have no communities of their own: no towns, no villages, no hamlets. They have no civil, no social life at all. They are either isolated members of a reserve or lone wanderers in No-Man's Land, seeking a livelihood in the forests, on the lakes or in the white man's employment. Nowhere can they share in a community life in which they are at home. They are lost sheep. Scattered and isolated as they are, it becomes impossible for any institution or any individual to follow them up in their after-school life and to do anything worthwhile for them by way of promoting their physical, economical and moral welfare. Until such time as they have communities of their own, well organized and well established, it would be fantastical to hope that they will become self-supporting, free and progressive citizens of Canada. Wilderness will always breed wilderness; civil life civilizes.

The Grouard school considered it of paramount importance, therefore, to build an Indian community where these people, like ourselves, could live together in close bonds of nearness, recognizing each other as associates, friends and acquaintances and pursuing their common interests with unity of purpose and action.

*Method of Approach*

The real problem was to find what method of approach would appeal to them and induce them to unite together by common consent; what system would establish among them the rights, duties and privileges of a social life; what economical set-up would invite them to submit willingly to the order, rule and administration of an activity that would give them a livelihood.

This system was not hard to discover. History has witnessed time and again the phenomenon of the birth of a nation. It tells us that our forefathers, centuries ago, where more primitive than the Indians of this country have ever been. The Druids speak of human sacrifices. Yet we glorify ourselves to-day with what we call our western civilization. How was this civilization brought about?

In any event, in our day, the church is very explicit in this matter. Its teachings on social order advocate the co-operative system. Our diocesan authority advocates it also even for the Indians. It was on the bishop's orders that the Grouard school went to work.

*The Consumers' Co-op.*

Meetings were called—calling all Indians to hear of the new project which would lead them to a "happier hunting ground". They came, few in number. Meeting after meeting was held in the school. The co-op. principles were expounded but this abstract pounding of principles was not nearly so appealing to their ears as the pounding of the Indian drum. One day, an old medicine man who was bored to death with these classes, suggested that this co-op. business be turned into a little Indian pow-wow,

A pow-Wow! Ye gods! That was the trigger! Now we were really getting somewhere. An Indian drum was produced, the circle was formed and we danced and danced and danced, while the old fellow pounded the drum and howled and howled and howled. The meeting was a huge success and the co-op. was "tops". The following meeting had a big attendance. After a little pounding and a bit more expounding it was agreed upon that a consumers' co-op. was the primary need of the people and, therefore, the first activity the association should attempt. That store would be their own, and in it, they would manage their own business. Members would buy shares at the par value of \$1 per share. These shares, it was explained, would have little babies (surpluses) and according to co-op. principles, these little ones would be refunded to the member-purchaser at the end of the year's operations. The enthusiasm was high and shares were sold while the going was good. After the meeting, the money was counted with feverish interest. Stocks amounting to the fabulous sum of \$15 had been sold! The store opened for business very shortly after, on the 1st of February 1943, in the school itself. A barrel of coal-oil was purchased at the price of \$10.30. The balance of the capital stocks (\$4.70) was invested in cigarettes. Sales girls canvassed the nearest huts in the nearest bush to peddle the cigarettes and high-pressure the tenants to buy co-op. coal-oil. The returns of the sales were immediately reinvested in the store. The interest of the people grew. Other shares trickled in. The co-operation that these people practised has built our present community. Each one felt that by co-operating he was actually lending a helping hand to his kinsmen. He realized at the same time that he was helping himself by shaking off his century-old bond of serfdom. His dignity grew and so did the co-op.

At the end of the year, the co-op. had done \$9,000 worth of business. The surpluses were voted towards the erection of a building of their own in which all their co-operative activities could be pursued. A two-storey building with full basement was erected by the Indians themselves. It was 30 x 50 feet, roughly hewn out of logs. No compass was required. It was simply aligned with the polar star to the north and with the waning moon southeast to the south. Primitive it is but it will exhibit for years the standard of civilization which our people had then reached. Yet it is a sturdy building of which they are proud and which has been used, since, as the centre of many an educative gathering and lucrative activity.

#### *A Producers' Co-op.*

In 1944, in this same building, a producers' co-op. was organized, namely, a slipper factory.

A consumers' co-op.—though a general service to all interested members, created the spirit of a community but it could not afford a living to all those who sought the advantages of social life in this new Indian community. A producers' co-op. of some kind which could produce and supply the Canadian people with some one of its needs could employ more hands.

Bedroom slippers found a ready market in Canada. This industry meant something to the Indian who had already made a pair of moosehide moccasins. Equipment was purchased: power-driven sewing machines, patterns, lasts, dies, etc. These people had never touched an electrical sewing machine; they had never cut slippers on patterns; they had never fitted them on lasts, yet the first pair they made was sold on the market and none of them has ever been returned. The demand for these Indian-made slippers grew far beyond the supply.



The factory is equipped to produce 3,000 pairs of slippers per month. The Grouard Indian slipper is the highest priced slipper of its kind in Canada. Sixty Indian families could live on the product of this factory as it is organized. Actually, there is only an average of twelve families getting their living out of it. Our output is only 700 pairs per month. The lack of working capital accounts for all this.

### *A Credit Union*

The need for a co-operative banking system was soon felt for the Indians of this new and growing community. The activity was organized and chartered under the name of: "THE GROUARD INDIAN SAVINGS AND CREDIT UNION LTD." Its purpose—to practice saving and to lend money to the needy. No institution could contribute so much to raise the morale of a people who, down our way, had been classified by the white man as "coyotes".

Firstly, the importance of co-operation was taught as it applied to the financial sphere. Saving was the order of the day as being the road to independence. And savings readily found their way into the credit union. The first savings deposit was sixteen cents. The second, was the price of a horse's tail. White horse hair sells well. The idea struck one of our promising members who had a white horse. The following day he brought his horse's tail for which he got 35c. With this, he was proud to open his savings account. Later, family allowance cheques were deposited for the newly born that thereby, he too, might receive a higher education. We needed more educated people for the co-op. That is now evident to the members.

The day the Grouard Indian Savings & Credit Union Ltd. had a savings deposit fund of one hundred dollars made up by the most destitute people imaginable, it began to extend credit; it began to make loans to those who needed money—little loans, of course, but they were helpful and the borrower, who was endorsed by another member of the credit union, felt he was not begging. He was making an honourable financial transaction upon which he was staking his word of honour that he would repay the borrowed money, capital and interest, on the promised date. The credit union is now two years old. It has done \$12,000 worth of business and has not lost a cent.

### *A Co-op. Housing Project*

Our new community laid its corner stone in a carrot field which the mission kindly gave the association. A housing project was organized to lodge and take care of these isolated people, these dwellers of the bush who would join in our social life. Houses were moved from the bush into the co-op settlement. Through the co-op housing project, three new homes were erected and immediately occupied. They were sold—interest free—on a monthly rental basis. Even Indians like social life—a social life of their own—if they are able to find a livelihood in that environment.

### *Co-op. Miscellanies*

The co-op organized a fur-trading post. According to one of its principles, it operates at cost, even in fur. The trappers no longer have to pile beaver pelts muzzle-high, to get a blanket and a pound of tea. The results have been that competitive fur-buyers raised their prices.

Our community has an amusement hall, privately owned. Our Indians can play pool and amuse themselves without fearing the unpleasant remarks of an unsympathetic white man.

The co-op has its ambulance service, its public sweat bath and, above all, its own post office, the Grouard Mission P.O., Alta.



## CO-OP. RESULTS

*Morally*

And that is the story of the co-op.

A co-op is not a reserve, it is not a trap-line, it is not a ration, and to be sure, it is anything else but a "one hoss shay". All for each and each for all is one of the first principles of a co-op. Our Indians are proud of their institution. They realize that they have accomplished jointly that which they never could have realized single-handed. They are proud to think that their individual share has been a personal contribution to the happiness of the entire community.

The members have to conduct the entire business themselves, bearing the full weight of the responsibilities. Having to live up to the rules and regulations of the co-op, they have submitted themselves willingly to the disciplinary procedures of the organization and this has taught them order, rule and administration.

A common interest in the co-op, though merely financial at first, has brought them closely together. This fellowship has very noticeably improved their manners and morals.

Thousands of visitors have driven all the way along the shores of Slave Lake to visit this curious little institution which stands like a lone wolf in the forest primeval. This consideration from outsiders has given our people pride and self-confidence.

*Economically*

The co-op has been a profitable enterprise. Last year, it did \$45,000 worth of business. It has already credited its member-purchasers with dividends which it will refund as soon as it is debt free. The co-op gives the poor man a chance. The poor man cannot invest money in the C.P.R.—nor can our Indians. Yet, poor or rich, every one must live. He must spend money to feed his family. A co-op member receives dividends, not on the amount he has invested but rather on the sum of his purchases in the co-op. The surpluses of the co-op are distributed to the members proportionately to their patronage.

The co-op sells for cash only. That is another principle of salvation for the Indian who had always mortgaged his future. Our Indians have bought for cash. They have paid no more than anywhere else for their commodities, and they themselves have reaped the profits over the bargain. This cash business has made free citizens of our Indians; it has eventually rescued them from the clutches of other merchants who had imprisoned them in debt until they almost owned them, body and soul.

*Physically*

Physical assistance is of primary importance to the Indian. The co-op has taken care of it. It has always supplied them with good foods for their table, making it a point to handle at all times, fresh fruit and vegetables. Those who have been employed in the co-op have been more fortunate than others. Having more purchasing power, they have been able to afford more and better foods which Indians can also enjoy. Through the Credit Union Study Club, by means of lectures and films, lessons in diet, hygiene, housing, gardening, etc., were received with real interest and profit. The co-op has sold fruit, vegetables, furniture and paint galore. Striking examples could be given to show the improvement in the health and the homes of our people.

*Future Hopes*

The hopes for the future of the co-op are only bittersweet. The story which has just been told may convey the impression that everything has been accomplished. In reality, the operations of the co-op are on a very small scale as compared to the needs of the population.

We have not been able as yet to organize co-op employment for the men. That is a very sad state of affairs. Serious attempts were made to organize a co-op lumber mill but our efforts were stillborn. The co-op is not debt free. It would be unwise for it to entangle itself into greater liabilities.

It stands to reason that a business institution which just four years ago began with an initial capital of \$15 should still be under-capitalized. This under-capitalization is seriously boycotting our development. We have a happy community, but it is far too small. There are others who would like to "enter into the fold"; they must wait for the day that the co-op will expand and offer them a livelihood.

A co-op with an efficient staff usually grows rapidly. Such is not the case of the Grouard co-op. Owing to the nature of the people we are working with, the co-op business is not as profitable as it could be. They will require more and more training. Then again, our employees are often tempted to listen to the "call of the wild". The number of employees in the co-op ranges anywhere, at anytime, from two to twenty. They love to run and sing like the babbling brook:

"I come from haunts of coot and hern  
And make a sudden sally,  
To sparkle out among the fern  
And bicker down a valley."

Fortunately the co-op is organized so as to take care of this feature. Employees are on piece-work. "They may come and they may go but the co-op goes on forever."

There is also something very sweet and hopeful about Grouard co-op organization. It has given faith to its members; it has improved their lives; it has created an atmosphere of happiness all round; it is leading its members on the upward march to a higher civilization by affording them the means of a livelihood in a community life.

The CHAIRMAN: Thank you very much for your very interesting and informative brief. Are there any other briefs to be presented?

The WITNESS: There is no other brief.

The CHAIRMAN: Is there any other presentation you would care to make.

Cardinal McGUIGAN: There is no other presentation.

The CHAIRMAN: I presume it would be your pleasure to answer questions?

Cardinal McGUIGAN: Yes, we will answer any questions. We are ready to answer any questions that you put to us.

The CHAIRMAN: Is it your pleasure to submit questions not only to Father Plourde but to any other member of the delegation?

Mr. CASE: I think first of all we should cross-examine the witness who presented the brief. When that question period is over if there is anyone else who wants to make any observations all well and good.

The CHAIRMAN: Before doing that we should decide how many hearings we are going to have. If I know the members of this committee I feel sure they will take up not only the remainder of this period but probably several other periods in cross-examining one witness alone unless we are limited as to time. May I ask Your Eminence if it is your desire or intention to remain here this afternoon? We have arranged a hearing for this afternoon from 4 till 6.

Archbishop MURRAY: His Eminence can remain but some of us cannot. I think the missionaries can.

The CHAIRMAN: Might we ask who cannot?

Archbishop MURRAY: I could not. All the others can remain.

The CHAIRMAN: Probably we might ask you some questions.

Archbishop MURRAY: I think those actively engaged in the work will handle the questions.

The CHAIRMAN: What is your pleasure, gentlemen? Shall we proceed to examine Father Plourde or would you like to ask questions of other members of the delegation?

Mr. REID: I was wondering if the other members of the delegation would not care to make a presentation because the presentation we have listened to is a general outline of the activities.

The CHAIRMAN: I know how you try to look after British Columbia's interests.

Mr. REID: I must admit I am anxious to hear Father O'Grady tell you about the residential school in Kamloops. I will admit that right now.

Mr. CASE: Mr. Chairman, I submit again that it seems to me the proper procedure is to find out the meaning of the brief we have before us before we ask anything of anyone else. I think it is a very complete brief. I have only three or four questions.

The CHAIRMAN: Is it agreeable that we shall proceed with the examination of Father Plourde on the brief that has been presented? Shall we limit the time of each member, as has been our custom, or shall we leave it wide open?

Mr. CASTLEDEN: I would suggest that we proceed and then if we find we are running short of time we can limit it then.

The CHAIRMAN: You understand that. I hope there will be no complaining at a later stage of the proceedings as to the procedure that has been followed. The last time we went clockwise. This time we will go counter-clockwise.

*By Mr. Matthews:*

Q. I was going to ask if you would care to make any comment regarding the request on the part of many Indians for the use of liquor to be permitted on the reserves the same as among white people?—A. We had quite a discussion among ourselves last night—and the night before—on this liquor problem. As you know we are all, of course, members of the Catholic Church, and the Catholic Church has never preached prohibition. The Catholic Church preaches moderation in drinking. There were some facts that the missionaries had to admit as far as liquor is concerned, that is, that the Indians do drink whiskey, and when they cannot get whiskey they drink almost any concoction that money can buy. Whilst none of our group would favour the sale of liquor on the reserves I think that the consensus of opinion was that they would favour an amendment in the Indian Act permitting Indians, when off the reserve, to go into a beer parlour or to buy a bottle of whiskey at government stores.

Q. Mr. Lickers makes a suggestion which I might follow up. He asks where are they going to drink it?—A. They could drink it at home on their reserve, if allowed to buy it. If they cannot drink it except somewhere off the reserve we will have quite a population at times living off the reserve.

*By the Chairman:*

Q. I gather what you are saying is you approve of the purchase elsewhere but not from a liquor store on the reserve?—A. Not any sale on the reserve.

Q. No sale on the reserve?—A. No sale.



*By Mr. Case:*

Q. In other words, you are suggesting Indians should have the same privileges as the white man?—A. It would not be quite the same privileges. If you have a big estate comparable to a reserve in size, and so forth, you might take liquor that you wanted on to that estate and you could have a store there, and so forth, but the Indian would be allowed to take on to the reserve only whatever he could purchase legally outside.

Q. I mean it would be the same except for the establishment of the store. You think he should have a permit and should keep within the law. Then if he is not capable of handling it he should be cut off the same as a white man?—A. Yes.

Bishop BELLEAU: I believe the members of the committee have enough experience and knowledge of the Indian mentality to know that in different degrees this applies, that the will power of the Indian may not be as strong as that of other citizens of Canada. That is probably due to his lack of training and that certain cool decision when put in the presence of liquor. I think that applies also to different elements of the white population, but it is quite noticeable among the Indians, and it is fairly universal. Consequently while not advocating total prohibition as it actually exists under the Indian Act I believe the missionaries would want the government to enforce a very severe application and policing of the law, if liquor is to be put at the disposal of the Indians by legal purchase. On some reserves I think the lack of opportunity and temptation is such it would mean a very radical change.

In our district of James Bay the influence of the mounted police and the remoteness of temptation is such that it would mean a very radical change if the sale of liquor were permitted there. If the Indians there have to go out of their territory to buy liquor it would mean, that very few of them would buy liquor, and I do not think it would result in any abuse. In the districts where the Indians are in contact with white people and where temptation and the opportunity for illegal purchase is very frequent I still believe that not only should we try to educate the Indian to be moderate but the policing of the law should be more severe, not by way of penalty but as a protection against his own temperment and disposition. It is not to despise the Indian that I say this, but it has been noticed that the cool decision is not easily taken by an Indian when he is in the presence of some incentive, and that he is prone to follow his inclinations and not take the decision that prolonged education and favourable atavism would help the white man to take in the way of making a cool decision and governing his own actions in the use of liquor.

What Father Plourde has said concerning the intrinsic morality of the use of liquor is the universal view among all missionaries. They do not claim that liquor in itself is immoral. It is the abuse which is immoral. The Indians so far have been given a protection which has been a real protection in some districts of Canada. In other districts this protection is becoming practically useless and impractical because the occasion is there, the temptation is there, and the law has become ineffective.

Mr. HARKNESS: May I ask a question on that while we are on the subject? Do you think that the prohibition of liquor for the Indians is presently having a bad psychological effect on them and tending to increase their feeling of inferiority as compared with the white man?

Bishop BELLEAU: I am not prepared to answer that question with regard to the Indians of all Canada. I do not think the James Bay Indians are impressed in that way at all. They realize it is a proper protection.

Mr. HARKNESS: I was thinking more particularly of Indians whose reserves are in the more settled parts of Canada.

Bishop BELLEAU: I think they believe there is discrimination. I do not know if they view it from that angle, but some of them certainly would like to

enjoy the privilege of buying a bottle of liquor. I do not think they would resent a very severe application of the law because they realize that it would be a step forward in their emancipation towards citizenship.

The CHAIRMAN: I wonder if some other member of the delegation might care to comment on that question of liquor?

Father McKAY: Unfortunately I was not able to be here any earlier than this morning so I was not able to attend the discussion which took place previously among the Fathers of the delegation. I do not think myself that the time has yet come for any change or amendment in the Act in this regard. To my mind any change on the liquor question would depend on two things, first on more complete education, and therefore the more complete moral development of the Indian so that it would depend largely on the other section of the brief on education. Secondly, any change would depend on better police protection on the individual reserves.

There is this to be said. I am from the north shore of the Georgian Bay. In my district the illegal sellers of liquor have taken a terrible advantage of the Indians, especially in the last two years. In Blind River alone there are at least 53 different men who practically live on the sale of illegal liquor. That is next to one of my reserves, the Mississauga reserve. In Massey by actual count there are 29 illegal sellers of liquor.

Mr. MATTHEWS: Are those white men?

Father McKAY: Those are white men. The reserve at Blind River is only six miles from Massey. Indians must go there at least every Saturday to buy their supplies. The Indians themselves maintain that since it is prohibited the Indians make the worst showing when they do drink because they have to buy their bottle under cover, and before they appear in public again they have to get rid of it, obviously by drinking it, so when they appear again they are pretty well drunk. Therefore when you go to town you see a large number of Indians who are drunk. I think greater police protection would itself take care of that, and the protection should extend more directly against the white sellers than against the Indians themselves because in Massey I know from my own experience that men are so anxious to sell their liquor that they will follow the Indians along the street urging them continuously until they finally give in and buy a bottle.

To go back to my original point, what the Indians need is first of all greater moral training so that they will be able to decide for themselves and take up for themselves this question of whether or not they are going to drink temperately. At the present time I would waive the question of making any amendment to the Indian Act.

The CHAIRMAN: By the way, Father McKAY, are there any provincial police in that area?

Father McKAY: There are, and they have been making a concerted effort to stop such sales. To my knowledge in the last four months there has been one mounted police, one provincial police, the Indian agent and his secretary, present in Massey or in Spanish almost every weekend, but when the police are coming in from outside everybody knows before they get there that they are coming. So that protection from outside is of little or no use. The sellers are well advised, and they know perfectly well who the police are and how to dodge them.

The CHAIRMAN: You said that if these gentlemen in the sale of their wares follow the Indians along the street trying to practise their salesmanship on them. Would that be possible in a small community with all these police officers around?

Father McKAY: Not all those police officers. They are there only one night a week.



The CHAIRMAN: Archbishop Vachon, I wonder if you would care to comment on that. You live in Ottawa.

Archibishop VACHON: Mr. Chairman, there are not any Indians in my diocese. I am with the delegation because I support the general principles that are expressed in this brief. I would not like to make any comment on any particular subject because I do not know the conditions in the different reserves. I did know something of what took place on the Lorette reserve, but I would not like to make any statement. I know that the authorities were very severe about allowing any sale of liquor on that reserve or in the surrounding area because they knew that the Indians did not always follow the principle of temperance when they bought their bottle of whiskey. Here in the diocese of Ottawa we have no Indians. Maniwaki is not in my diocese. I know that the principles just expressed by Bishop Belleau and Father McKay are those that are held by anyone who knows how very difficult it is to allow the sale of liquor to Indians. Of course, there may be special conditions I do not know, but I subscribe to anything that is said in that respect by the majority of our delegation.

The CHAIRMAN: Thank you very much.

Mr. HARKNESS: I wonder if any member of the delegation would care to give a specific answer to my question as to the extent to which this prohibition does give a feeling of inferiority to the Indians and tends to perpetuate that feeling, and also a feeling on their part they are being unjustly treated and discriminated against?

Bishop BELLEAU: In the James Bay territory they have not come to that point where they have the ambition of being equal to the white man on that ground because their civic activities are very limited. I do not claim the right to speak for any other district, but that applies practically from the terminus of the O.N.R. well up into the Hudson Bay territory.

Father CHARRON: I should like to say there are different opinions on the reserves. Some of them want to drink. Others do not want it. If you understand the Indian, you will know that the law was made that way because when the Indian gets a drink he has the urge to fight. It is not there when he is sober but as soon as he gets a drink he has the urge to fight.

The CHAIRMAN: It is not only the Indian.

Father CHARRON: It is stronger in the Indian. I know some reservations which are scared of the liquor question. They see it coming, but they have not pronounced themselves because they do not know as yet to what extremes it may go. It will be up to the committee to decide on the liquor question. As we say, once the door is open it will be hard to close. Of course, this committee will be making the law. If at all possible I would suggest that it should be a question of trial and error before it is conceded to them. I would be of the opinion that it should be given a trial so as to see their reaction and what happens. I can say that on the Blood reserve and on the Blackfoot reserve the thinking Indians are very scared of that question of liquor.

The CHAIRMAN: Would you favour putting it to a vote of the Indian reserve?

Father CHARRON: I think so.

The CHAIRMAN: Thank you very much.

Mr. GIBSON: As long as one were certain that the women also had a vote.

Mr. FARQUHAR: From the representations we have had I do not think there is any question as to how the vote would go. Most of the Indians who have appeared before our committee have favoured the removal of the restrictions regarding liquor. Did I understand you to say that the provincial authorities were not making an effort to enforce the liquor laws at Massey or Blind River?



The CHAIRMAN: I do not think that was said. I think what was said was that the provincial authorities were not able to cope with the illegal sellers.

Mr. CASE: There could be greater effort.

Father McKAY: What I said was that although the efforts had been quite concerted, since they were directed from outside they could not be effective because their effectiveness was vitiated long before they even arrived in the town since everyone that was concerned knew they were coming.

Mr. FARQUHAR: You have no mounted police in the Massey area?

Father McKAY: Not in Massey. The closest is at Sudbury or Sault Ste. Marie. The provincial police are at Blind River and Espanola.

Mr. FARQUHAR: But they do not go on the reserves?

Father McKAY: That also is a disputed question. The provincial police have been able to secure convictions of Indians for offences committed on reserves. Some of the Indians disagree with that as to whether they have jurisdiction, but in practice it has been carried out.

Mr. FARQUHAR: I always understood the provincial police had no authority to go a reserve?

Father McKAY: That is a legal matter which is out of my scope, I am afraid.

Mr. REID: This liquor question is an important one. Father O'Grady has many Indians congregated in Kamloops. I wonder if Father O'Grady would care to express any view on the liquor question from his knowledge of that district.

The CHAIRMAN: Would you care to answer that?

Father O'GRADY: From my knowledge of the district of Kamloops I would say if they were given a chance they would certainly vote to have all restrictions removed. The reserve is only a ten minute walk from town and, of course, there are illegal sellers of liquor in the district and in the town of Kamloops also. As I say, if it were put to a vote no doubt the Indians on that reserve would certainly ask that the restrictions be removed. I think it would be a good suggestion to leave it to the local band and council from each reserve to decide whether they wanted the restrictions removed, and have it apply only to that reserve. Then the responsibility would fall upon the voting band and council.

Mr. CASE: That is a good suggestion.

The CHAIRMAN: Thank you very much.

Mr. CHARLTON: I should like to ask one question. Would you say if the restrictions were removed by the band or by the members of the band that they could also be replaced if it were thought desirable or would you say that once the restrictions were removed they should always be removed?

Mr. CASE: They would have the power to put them back on.

The CHAIRMAN: I think that would be a matter of government policy. Would you like to comment on that question, that if the restrictions were now removed from the Indian reserves would you favour later, if it did not prove satisfactory, the re-establishment of the restrictions?

Father O'GRADY: Yes. I think that would be the responsibility of the local band and council.

Mr. CASTLEDEN: Would you be willing to recommend along that, as an experiment, the granting of power to a local band to place under interdiction any one of their members who was not exercising proper restraint.

Father O'GRADY: Certainly.

Mr. CASTLEDEN: I think that might assist.

Father O'GRADY: Yes. I would recommend that the band have the power of imposing very severe penalties, because if you grant that liberty they would expect severe penalties upon infringement of the law.

Mr. FARQUHAR: It was said that you did not wish to have the sale of liquor on the reserves. If you allow the sale of liquor off the reserve do you think you can control the sale of it on the reserve?

Mr. CASE: That is a matter of administration.

Mr. FARQUHAR: I am asking these gentlemen.

The CHAIRMAN: Father O'Grady, would you care to answer that?

Mr. CASE: I might say that in the city of Owen Sound we have no liquor facilities and the sale is pretty well controlled. It all comes in from outside. It has been dry since 1905. The people are all dried up there, but there is lots of liquor. I think it would work the same way on the reserve. They could come in and bring it in.

The CHAIRMAN: May we pass on to the next question? We have taken half an hour on this one question.

Mr. FARQUHAR: I should like to have an answer to my question from some of the delegates who have had experience.

The CHAIRMAN: Apparently there is nobody cares to comment on it.

Mr. CASE: They did comment on it. Rev. Father Plourde said if they bought it off the reserve they would have the right to consume it on the reserve.

ARCHBISHOP MURRAY: I do not think Father O'Grady got the question exactly.

Mr. FARQUHAR: It has been stated that you do not wish to have the sale of liquor on the reserves, but it was thought that it might be well to allow Indians to buy liquor off the reserves. My question is if they are allowed to buy liquor in the quantity they wish off the reserve can it be controlled on the reserve? Can enforcement be controlled on the reserve?

FATHER O'GRADY: I should think it would be possible to control liquor on the reserve. It does not really matter where they consume it. It would be better if they would come home to consume it rather than doing so in towns and cities. Then if they become intoxicated on the reserve the local Indian council and band can punish them. In that way also they would come in closer contact with them because they would come home to consume it whereas if they were not allowed to bring liquor to their homes then it would be all the more difficult to control them.

Mr. CASE: They would be just as badly off as they are now.

The WITNESS: This matter all boils down to police protection. If we had the mounted police on our reserves I think a good deal of this liquor abuse and liquor extravaganza would disappear by itself.

*By Mr. Gibson:*

Q. Would you not say that the native Indian policeman on a reserve has very little authority, that he does not seem to be able to handle the situation?—A. It is the mounted police that we want on our reserves.

Q. The native policeman cannot do it?—A. No, the mounted police are the men who command respect. When the Indian sees a red coat he feels the fear of the law in his bones right away.

Mr. CASE: We all do.

*By Mr. Castleden:*

Q. It is more fear than friendship?—A. It has been both. It is friendship on the part of the good element on the reserve and it is fear on the part of the bad ones.

Q. I think they should go together?—A. Yes.

*By Mr. Gariepy:*

Q. If you had proper police protection on the reserves what would be your opinion as to the use of liquor or introduction of it on the reserves?—A. I began by enunciating a general principle, and I thought I had the general opinion of our missionaries with me, but I find that Father McKay, who has a very good case, is not in favour of my method.

*By Mr. Richard:*

Q. I think Father McKay would advocate better policing against the white people who are feeding liquor to the Indians?—A. That is all right, but if those reserves of which Father McKay speaks had the protection of the mounted police not just an ordinary visit, a weekly visit or tri-weekly visit—but a permanent home for the mounted policeman and his family, a residence and transportation facilities, and so forth, I think the abuses that he speaks of would disappear almost over night.

*By Mr. Farquhar:*

Q. I cannot see how if you allow the Indian to buy liquor legally off the reserve you are going to control it on the reserve?—A. We are all allowed to buy liquor and we do not all get drunk. We do believe that it will be the same with our Indians. It may not be over night, but we believe that little by little it will be the final result of a policy of this kind. If the Indian looks upon liquor as something that he cannot touch that he is not allowed to touch, that he is not allowed to drink...

Mr. CASE: By law.

The WITNESS: ...there will be an incentive there for him to get it wherever and whenever he can. He will pay twice and three times as much as the regular price for a bottle of whiskey or a bottle of beer, but if he has the right to buy it whenever he wants it and takes it home and drinks it he may leave the bottle of whisky half empty. At the present time he does not do that. If he gets a bottle of whisky he drinks it to the bottom because he knows if he is caught with it on his person he will receive a jail sentence.

*By Mr. Farquhar:*

Q. Would he not resent these restrictions on the reserve as well as off the reserve?—A. We all resent restrictions. We are all liberty loving. I am speaking of restrictions against our personal liberties. We are all of that opinion, but the Indian like the white man must submit to some restrictions. I do not believe that the Indian feels that he is set apart, that he is thwarted in his ambitions to become as the white man because of the liquor question. I do not believe that at all. I believe the Indian is the same as the white man. He wants to enjoy certain liberties. If he is denied them he does not feel he is a man. We had total prohibition in this country for several years. I do not think any one of us thought our liberties were thwarted. We had voted for it.

Q. Why should he not have these liberties on the reserve?—A. I gave you my personal opinion before that he should have it on the reserve. He should be allowed to drink it on the reserve, but I am opposed to the sale of liquor on the reserve.

The CHAIRMAN: Gentlemen, may I ask your indulgence and co-operation. We have now spent forty minutes on one question alone and we have not started questions on the brief at all. Provided there is no vote in the House this afternoon, we have two hours left. There has got to be some restriction and control. I am going to suggest that we take the questioning in some order. If you look at the brief there are certain headings given on the index page.



Mr. CASE: May I ask some questions on the brief?

Mr. REID: I thought we were going to start with that.

Mr. HARKNESS: I thought Mr. Matthews had started but we got on to this liquor question and we have been on it ever since.

Mr. REID: You are running the committee, Mr. Chairman.

The CHAIRMAN: I am not running the committee. I am only a tool of the committee. Whatever the committee wants is what is going to be done.

Mr. REID: You are not only that. You are the guide of this committee. You are the chairman of this committee, and a chairman sees that the proceedings are run properly.

The CHAIRMAN: As I understand the duty of a chairman it is to carry out the wishes of the committee and not his own wishes. I would suggest to the committee that we follow the headings on the index page and allow each member one question. I do not know how I am going to control that.

Mr. CASE: You cannot do that.

Mr. REID: I object to that.

Mr. CASE: Let us ask some questions on the brief.

Mr. HARKNESS: I would suggest that Mr. Matthews continue.

The CHAIRMAN: I will allow each member of the committee a certain stated length of time to ask questions on this brief. Is that agreeable?

Mr. BLACKMORE: May Mr. Matthews proceed?

Mr. MATTHEWS: I have finished.

Mr. RAYMOND: We can start at 4 o'clock. It is now 1 o'clock.

Mr. REID: This is one of the most important briefs this committee has had. It is also one of the most important delegations that have come here. In all our meetings we have always had ten minutes each for asking questions and now you say five minutes. First of all you said one question but now you say five minutes.

The CHAIRMAN: I am awfully poor on mathematics.

Mr. GARIEPY: I would suggest that we make a start taking the matter of education, for instance. I suggest that we let Mr. Case ask his questions. He is ready. Let him put some questions.

The CHAIRMAN: We have been over that and it has been decided that each member will be allowed to put questions on the brief whether he wants to talk about education, treaty rights or old age pensions. Is it your pleasure that Mr. Lickers should lead off?

Carried.

*By Mr. Lickers:*

Q. Can you give us any figures as to how much the church has invested in connection with schools in Canada?—A. We have pictures here, but there are 20 residential schools built by the church with, in some cases, a small grant from the department.

Q. When did the church last build a school totally from their own funds?—A. To my knowledge the last school built with church funds is the Holy Angel school at Fort Chippewayan in northeastern Alberta.

Q. How long ago would that be?—A. It was started prior to the war and finished during the war. I understand from Archbishop Breynat that the vicariate spent \$110,000 not counting the work of the brothers of the order who erected the building.

Q. Can you tell me when the last school was built totally by the department and then put under your jurisdiction?—A. We have no school totally built by the department. There were schools repaired like Cross Lake. Cross Lake had been burned down, destroyed by fire, but the walls were still standing, and the department supplied funds to finish that school, to rebuild it.

Q. How long ago was that?—A. That was during the war, not quite during the war. It was started before the war.

Q. Are you given any assistance from the department for the upkeep of the schools which your church owns absolutely?—A. We are. We are given the same per capita grant for church-owned schools as we receive for government-owned schools.

Q. How much does that average a year per pupil?—A. The basic per capita grant runs from \$165 to \$200. A few years ago it was increased by \$15 as a general increase over all. Then on January 1, 1947, the department increased the per capita grant on a sliding scale according to the needs, distances, transportation difficulties, and so forth, of each school.

Q. Have you sufficient funds to allow the church to operate the schools efficiently?—A. Catholic schools are operated by priests, as you know, as principals with the co-operation of communities of nuns and some lay brothers. If we did not have this almost free help we could not operate on the present government per capita grant.

Q. Are all the teachers in these schools appointed by the church?—A. They are appointed by the church but their appointment is submitted to the Indian Affairs Branch for approval.

Q. Are most of them qualified, certified teachers?—A. I think it is 139 teachers we have in our residential schools. Of those one has an M.A. and a B.A. Nine have the B.A. Thirty-seven have normal school training.

Q. How many in that last category?—A. Thirty-seven have normal school training. A few—I cannot say how many—have Bachelor of Education degrees, and the balance have 12th, 11th and 10th grade high school training.

The CHAIRMAN: Gentlemen, it is 1 o'clock. We will assemble at 10 minutes to 4 o'clock and then we will be ready to proceed by 4 o'clock.

The committee adjourned at 1.05 p.m. to meet again at 4 o'clock p.m.

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## AFTERNOON SESSION

The committee resumed at 4 o'clock p.m.

The CHAIRMAN: At the adjournment for lunch we were submitting some questions to Father Plourde. Mr. Lickers was examining Father Plourde. Before we proceed probably we should have some understanding on the procedure that is going to be followed. Is it your pleasure that each member of the committee shall be allowed a stated time?

Carried.

Is it agreed that the time allowed will be ten minutes?

Carried.

Each member of the committee will be permitted ten minutes within which he may ask questions of the witnesses.

**Rev. Father J. O. Plourde, recalled:**

*By Mr. Lickers:*

Q. Are your teachers all members of some order or are some of them laymen?—A. Generally speaking they are members of the order of women who are in charge of the school under the guidance and managership of the principal.

Q. Have you more women teachers than you have men?—A. Yes, many more. We have men teachers for such schools as Kamloops and Mission in British Columbia; Cardston, Alberta and Duck Lake, Saskatchewan. In fact, we have men teachers in schools where the number of boys above 14 and 15 years of age is large enough to warrant engaging or hiring a male teacher.

Q. What curriculum do you follow in your schools?—A. We follow the curriculum of the province in which the school is located.

Q. And what sort of inspectorate do you have inspecting the schools?—A. We have a provincial inspector in every case.

Q. Who supplies the textbooks?—A. The textbooks are supplied by the Indian Affairs Branch in Ottawa.

Q. I notice in your brief that you want the provision of the Indian Act in section 10, paragraph 2, maintained?—A. Yes.

Q. Do you think there should be some provision for those people who believe in the old Indian religion?—A. That is a rather puzzling question to answer. Canada is, I believe, a Christian nation, and its desire and aim is to have all its citizens belonging to one or other of the Christian churches. Under such circumstances I cannot see why we should foster aboriginal beliefs.

Q. The Indians claim there is as good moral teaching in their own religion as you find in other Protestant or Catholic religions, and that is why they object.—A. There are actually less than 5,000 aboriginal believers, you might say, in Canada out of 125,000 or 126,000 Indians. Whether the department wants to establish schools for that very small minority is more than I can say. I do not believe that we would object to such schools being established by the Indian Affairs Branch if there were places in Canada where those schools would be justified by the numbers of those who would ask for them.

Q. Do you take anybody in any of your schools who is not an adherent of your faith?—A. We have a very few of what we would call aboriginal believers.

Q. Attending your schools?—A. Attending our schools, very, very few.

Q. In any of your schools do you have a mixed population of some Indians and some whites attending?—A. I did not quite catch that question.

Q. Are there any of your schools in which you have a mixed population with some Indians and some whites attending?—A. No. They are exclusively for treaty Indians. I might correct myself there and say outside of the North-west Territories where the schools do not belong to the Indian Affairs Branch and where some half-breeds and a few white children are accepted, not because we want them but just because we do not want to see them grow up in ignorance.

Q. Does the church assist any of its graduates from public school to go on to higher learning?—A. We assist those who wish to join the clergy, either the secular clergy or a religious order.

Q. You do not assist anyone who wants to go on and receive training for commercial life?—A. We have no particular fund for that purpose, but I would not deny though that some have been assisted by the church.

Q. Suppose there is a graduate from a residential school who wants to go on to a collegiate. Do you allow them to remain in residence at the residential school and go out to attend another school?—A. We allow them only in so far as it is permitted by the Indian Affairs Branch. Our schools are government



owned and church owned, but whether government owned or church owned they are governed by the same school regulations promulgated by the Indian Affairs Branch.

Q. Do you not think it would be a good idea to use that as a residence in some cases in view of the parents of some of these children not being able to pay their board in the city or town in which they have access to a high school?—

A. I have no instance where it has been refused, but on the other hand I could not give you an instance where it has actually taken place. I doubt very much that our schools would refuse that assistance to any deserving pupil who would want to attend a high school, convent or university.

Q. In connection with residential schools do they have a certain amount of land for farming?—A. Yes, all our schools have large farms.

Q. What part of the school day do the pupils attend school?—A. Well it all depends on the age of the children. Leading a team of horses, pitching hay, or gathering grain, and so forth, cannot be done up to a certain age when the boy is possessed of certain physical characteristics which he only acquires say at 15 or 16 years of age.

Q. Does the church depend mainly on the boys in residence in these schools to do the farm work?—A. Farm work is done by our boys as a training. It is not done by them as a means of farming or to avoid hiring other help. It is a training that we give our boys in these schools.

Q. Do they not usually hire a farm foreman and perhaps a helper, and all the other work is done by the boys?—A. That is done because the Indian Affairs Branch wants that. The Branch wants us to train all our boys where there are farms in the art of farming. That can only be done by putting them to work, but they must be of a certain age before doing that.

Q. I presume those who have to work would attend school only half a day?—A. I beg your pardon?

Q. I presume the boys who have to work on the farm would attend school only half a day?—A. That is the system followed in nearly all our schools.

Q. Do you think that is a good system?—A. It is a good system if we want to continue training our boys as we have trained them up to the present time. I do not think it is a good system if you want to bring them up to high school and later on to university training. After all whilst we concede that the Indian child is intelligent he cannot do in half a day what the white child does in a whole day.

Q. So you think there should be some differentiation between the two, and those who have the possibility of going on to higher education should be given more schooling in the class room.—A. Higher education for our Indians is not a matter that you can take up wholesale. It is just the same as for our white people. Out of a class of say 20 boys in grade 8 who are just finishing up you may have 3 or 4 who want to go on to high school or take up high school work. The rest do not want it, and you cannot force an unwilling pupil to stay in the class room.

Q. I was thinking about those 4 boys. Do you not think it would be a good idea to give them a little more class room work?—A. I am informed by Father Laviolette that is done generally speaking in all schools where such boys are to be found.

Q. Where you have a residential school near a reserve is there any provision made by which men from the reserve may be instructed in farming in connection with the school?—A. I do not know of any school where farm instruction is given outside of maybe Lebret in Saskatchewan, but on that particular point I stand to be corrected. My information may not be up to date.

Q. You also mentioned a school for girls between the ages of 16 and 18. Are you suggesting that such a school be set up by the department?—A. As a church we cannot set up schools with what I would call church money. We

cannot go out in the country and take up a subscription for \$500,000 or \$600,000 and say we are going to use that to put up a school for Indian girls in Saskatchewan or Alberta or Manitoba. So my suggestion is so far as that school is concerned that it should be a departmental affair.

Q. Denominational or non-denominational?—A. The undertaking of the building or setting up of the building. The undertaking of it should also be a departmental affair.

Q. I have one more question. Would that be a denominational school?—A. Yes, denominational; as far as our church is concerned that must be carried right through.

*By Mr. Case:*

Q. I should like to ask Rev. Father Plourde this question. In your brief you say that you have been ministering to about 52 per cent of the Indian population?—A. Yes.

Q. And that has been going on for a century or more?—A. I would not say that 52 per cent existed a century ago.

Q. But in any event your church has had a very close association with this work?—A. Yes.

Q. For over a century?—A. Yes. I think in the historical sketch I said that the Franciscan Fathers came to Canada in 1615.

Q. You have enumerated on page 23 a number of Indians—I presume they are Indians—who have given their lives to the church work, that is, they have been taught religious teachings and are now associated with the Indian work, so that you have been in a position to observe fairly well the progress the Indians have made?—A. To a certain extent, yes.

Q. Are you fairly well satisfied with the progress they have made under the system that you have adopted?—A. I think to answer that question one would have to know what the condition of the Indians was at that time—

Q. In a general way?—A. Yes, but one would have to know what the condition of the Indians was at the time we arrived, their state of civilization, their methods of housing, their welfare work, and so forth, and compare it with what they have now where we have had a chance to implement our teaching and to work along with them.

Q. With the number of Indians you have been associated with in your work you would know quite a number of rather brilliant individuals, ones possessed of considerable ability?—A. Yes.

Q. The reason I am asking you that is I want to know if in the preparation of this brief you consulted any of the Indians in order that they might collaborate with you?—A. No, I did not.

Q. You held no meetings on any of the reserves to get any reactions from the Indians themselves?—A. No, but our missionaries were all consulted and they in turn had consulted their Indians.

Q. They consulted the Indians?—A. Yes.

Q. So that you are quite satisfied that the brief you are presenting here now also represents the viewpoint of the Indians? I am not going to say the majority of the Indians, but it represents the viewpoint of the Indians themselves?—A. We are definitely of that opinion as far as schooling is concerned and as far as hospitalization is concerned.

Q. That is a very interesting comment because I think you have attended quite a number of the hearings here and you have heard many comments about the school situation. Mr. Lickers has dwelt considerably on that, and I have one further word. You want to retain in the Indian Act section 10, paragraph 2. My question is would you deny the right to the Indians to decide for themselves what type of schools they would feel they would prefer?—A. This is rather—I won't call it a tricky question—but it is hardly possible, I think, to

have Indians pronounce themselves on matters of this kind. As far as the religious side is concerned, it is one thing; as far as the denominational schools are concerned, it is another thing.

Q. We have had, as you know, certain definite expressions of opinion from both Protestants and Catholics about the schools. That is to say, they have a high appreciation of the advantage of religious training attached, but there have been definite expressions of opinion why it should not be associated with the schools; that the religious factor should be left outside the schools.—A. May I speak off the record for a moment, please?

The CHAIRMAN: If that is the wish of the committee.

(Remarks off the record.)

*By Mr. Case:*

Q. I want to go a little farther. You have spoken quite highly of the residential schools, and I have had an opportunity to observe them myself and I feel that they are filling a need; but in your brief you state it is important for the child to have the advantages of the home. You say that is where religion begins, in the home, in the early part of your address on education. You say, "The family, the church and the State are the three responsible agencies entrusted with the education of the Indians. The family is the source and origin of life. The parents are the natural teachers." When you have residential schools you are taking the children away from the influence of the home.—A. We are not taking them away up to the point where the home does not continue to have its influence on that child.

Q. No, I can appreciate that, except that he is away from home for a considerable length of time.—A. He is away from home, but he is home for over two months during the summer, and if most of our missionaries have their way I think he would be home in the future at Christmas time. The parents are allowed to visit their children as often as they wish.

Q. On page 10 you quote from a letter sent to George Vardon, assistant superintendent general, Indian Affairs, Montreal, from Dr. Ryerson in Toronto on May 26, 1847. Now, that is just one hundred years ago. Do you suppose you could get a more recent reference as to the opinion of someone, say, in the last ten years?—A. I cannot do that personally right now.

The CHAIRMAN: Would you refer that matter to some of the other members on the delegation?

MR. CASE: It might be a thought to be kept in mind.

The WITNESS: May I say this, that religion is something which does not change from day to day; what was true one hundred years ago is just as true to-day.

The CHAIRMAN: May I say that it may be that other members of the delegation would like to add something to what Father Plourde has said in answer to one of the questions. If so I hope they will feel free to come forward.

MR. CASE: Would it not be better to make a note of those matters and proceed with the witness and then afterwards proceed with the others? What I am getting at is this: Father Plourde has presented this brief and I take it he is responsible for the brief, and I am questioning him on the brief. When we want somebody else to assist him that will be a different thing. I think that is fair.

The CHAIRMAN: Whatever the committee wants is all right with me.

*By Mr. Case:*

Q. Now, Father Plourde, there is this question with respect to hospitals, because there is an inference that you would like to have the same disposition



with respect to hospitals as you have with respect to schools. Now, would you not be satisfied if the hospitals were public institutions so long as the patients had access to their spiritual advisers?—A. I wonder if I could answer that by asking you a question?

Q. Well, if I were going to be a witness I would be perfectly satisfied to answer you. However, go ahead.—A. Suppose you took sick to-day or to-morrow and the doctor came along and said to you, "Mr. Case, you are sick and you need to go to the hospital, so I am sending you to a hospital on Rideau street." Suppose you said to him, "No, I do not care to go to that hospital." The doctor says, "I am sorry, but that is the hospital you have been assigned to and you will have to go to that hospital." Now, then, supposing instead of your own family doctor, some other doctor in whom you would not have confidence were to come along and say, "Mr. Case, you are sick." You say, "What are you doing here?" He says, "I am the doctor; I am the state doctor." You say, "You are the state doctor but you are not my doctor." And you would very likely send him about his business, both as far as his own personal services are concerned and as far as the hospital services are concerned. You say to him, "I want to go to a hospital of my own choice and I want to have my own doctor." Now, we all feel that way about doctors and about hospitals.

Q. Now, if I answer that question I shall do so briefly. At the present time I should be very glad if I could get into any hospital. I know that I should want a doctor in whom I had confidence. However, we are dealing with the Indian. Do you suppose they take that view of the hospital situation—not that I am objecting—but it is going to be very difficult to set up two sets of hospitals; we will do well if we can get one set of hospitals.—A. You ask about the Indians. Our Catholic Indians—I cannot say anything about the others—do want Catholic institutions and hospitalization.

Q. Then, your point is well taken.

MR. CASE: Mr. Chairman, there is only one thought I have to express as I hand over and that is that I hope before we conclude that the reverend gentleman from James Bay will be given an opportunity to say something about the James Bay Indians.

THE CHAIRMAN: I hope so. It is now 4.35. Mr. Gariepy, have you any questions to ask?

MR. GARIEPY: I will pass for now.

*By Mr. Richard:*

Q. The brief has been very clear. It is a general brief. I do not know that I have many questions to ask. Something was mentioned about the government grant. Do you feel that it is—both for the residential schools that you own and those that you do not; those that are kept up by the government—do you feel that the grants are adequate to-day?—A. No, we do not. When I say that may I say that the churches engaged in this Indian work have over the past six or seven years met the various cabinet ministers we have had and we have asked for an increase in the grants, and the last meeting that we had was last November when we met the Hon. Mr. Glen and asked that an increase of \$90 per pupil be applied to all schools. We were notified about four or five months later that the increase would not be equal for all schools but would be based on the ability, as it were, of a school to meet its own expenses through proximity to large centres or farming or through some other source of revenue; and instead of \$800,000 which we thought was necessary to keep up the schools we were allowed around \$265,000.

Q. Do you mean by that that the government took into consideration whatever means you had yourself in certain schools to decrease the grant?—A. Yes; not to decrease the grant but to decrease the amount.

Q. And the increase?—A. Yes.

Q. That is not quite fair, is it? If you have put your own money and your own effort into a school and have reached a certain condition in certain places why should that be taken into consideration in denying you the increase which is necessary?—A. I think I quite agree with you on that point. I do not believe there can be any argument.

Q. In other words, you are really contributing something yourself for which you are not compensated?—A. The greatest cause for complaint—I will not say criticism because criticism is a harsh word in a sense—but our great complaint with the set-up of the Indian Affairs Branch at the present time as it relates to our residential schools is this, that the church as a church has put up twenty residential schools at considerable expense. Most of them are not up to the best government schools but they are good schools just the same. The financial set-up in the department is so awkward, it is so entangled that it is almost as hard to get the money voted by the department for those schools as it is to get it voted by the government. In other words, the government does not take into account at all the fact that the church has put up twenty schools with its own funds and is running them just with the per capita grant allowed to schools that were put up by the government itself.

Q. You get the same grant?—A. The same amount.

Q. There is no consideration in the matter of rental for the school?—A. Nothing like that. We are not the only church in that category. The Church of England has also put up a certain number of schools—I cannot say the exact number—and they are treated in exactly the same way as we are.

Q. Nevertheless, if those schools are residential church-owned schools or government-owned schools they have to be run under government regulations, the same regulations, and the same control by the department?—A. Yes.

Q. But yet nothing is taken into consideration of the fact that some of these schools have been put up at your own cost and you get no rental for them at all?—A. I might add a correction to what I said. In some cases during the number of years that these schools have existed certain amounts have been granted, say, for the installation of a water system, for general upkeep, new water tanks, for instance, new desks, new beds and so forth. Certain amounts have been granted by the department for these schools, similar to amounts granted to schools owned and built by the department.

Q. Has it ever been contended by the department that some of these schools which you built are not necessary or would not have been built by the government if you had not done so?—A. I never heard any such statement by a responsible official of the Indian Affairs Branch. I think what schools we put up are upheld, I mean, are given grants because of their necessity as such.

Q. Therefore, if you did precede the department in the building of these schools which you now own, you assumed an obligation which, eventually, the department would have had to assume?—A. I think so.

Q. You mentioned something about the residential schools and the home atmosphere, the influence of the home on the Indian child. I presume the same surroundings are thrown around the Indian child, considering his age, in the residential school as would surround him at home? I mean, you make it not only a school but a home to the Indian child?—A. That is the purpose of education and I think it has been carried out in our residential schools.

Q. You have to take into consideration the age of the child. If he is 7, 8 or 9, first of all, you have to make him like the place and, therefore, you certainly have to surround him with the affection of the teachers so he will like the place?—A. That is right. He would not, if there was not that home atmosphere and home surroundings in these residential schools, have any children.

*By Mr. Case:*

Q. How young are the children when they first come to the residential school?—A. They are 7 years of age.

*By Mr. Richard:*

Q. If you had a strict discipline, such as you would have in another school for older children, it would be a little difficult to keep the children of that age in school. They would have to feel at home?—A. I might say in this connection that last year, this last Christmas, the department authorized two schools in Saskatchewan, the Labret or Qu'Appelle school which is a large one because it has 300 pupils and the File Hills school, to send their children home for Christmas holidays. I cannot speak for the File Hills school because it is not one of ours but I can speak about the Qu'Appelle school. One hundred per cent of the pupils came back. The parents paid the railroad fares for them to go home and paid the railroad fares for them to come back without any compulsion whatever on our part. So, it shows that these Indian children really loved their schools otherwise they would have stayed home.

*By Mr. Farquhar:*

Q. No doubt the questions I was going to ask have been rather fully answered, but there is one further question which I have. We were discussing at the morning meeting, the liquor traffic as it affects the Indians. Special reference was made to some of the towns in my constituency, namely, Massey and Blind River, where a great many men were making a business of selling liquor to the Indians from the reserve. I should like to ask Father McKay if he has any suggestions to make as to how we could better conditions there, especially in those places in which he was working amongst the Indians. Possibly Father McKay would make some suggestions as to how we could better conditions there.

The CHAIRMAN: Father McKay, would you care to answer that?

Father McKay: At this time, as I said this morning, I would sooner not bring up the question of liquor at all. However, since the question has been brought up there are two possible solutions. The most important, which I have been urging among the Indians themselves on every occasion when I have a chance, as I mentioned this morning, is education, a more complete education for all. The other point which is within Mr. Farquhar's jurisdiction more, I think, is the matter of policing.

As I said this morning, the main difficulty was controlling the liquor traffic on the reserve, especially the Spanish River reserve. There is a lack of any adequate means of policing.

The police coming in from the outside are impeded by the fact everyone knows that they are coming long before they arrive and by the fact it is only a partial policing. I would suggest therefore, that a mounted policeman be resident, either on the reserve at Spanish River or close to it. It is a large reserve with close to 70 families. I believe it would merit the support of a mounted policeman specifically assigned to that reserve. I know that this has worked very well in the case of the Wikwemikong reserve when the policeman was stationed at Manitowaning. I have heard Father Dwyer speak of that with great satisfaction. I believe some success would be attendant upon the appointment of a mounted policeman at the Spanish River reserve.

Mr. FARQUHAR: I might just say I spent two or three years in an effort to get a mounted policeman permanently settled at Manitowaning close to the Wikwemikong Indian reserve. I think Father McKay's suggestion is a good one. We should have a permanently appointed mounted policeman on the Sault



line. There are several reservations there which would come under his jurisdiction. There would be a great deal of work for one man. I just wish the department to take note of that because I am coming around to follow this matter up.

*By Mr. Raymond:*

Q. In a brief presented by the Church of England on March 28 before this committee, that church filed a financial statement showing its deficit in the administration of Indian schools. Do you have any similar statement to file?—A. We have no similar statement because we have no similar centralized book-keeping in the Catholic Church. In our church organization each diocese is independent and each religious province is also independent. For instance, there are four schools in the Northwest Territories which are under the direction of Bishop Trocellier. There is one school near Prince George, on the Canadian National, under the direction of Bishop Jordan. There are seven schools in B.C. under the direction of the Very Reverend Father Scannell. We have eight schools in Alberta under the direction of the Very Reverend Father Boucher and five under the direction of His Excellency Bishop Ruthier, and so forth. Each provincial group or bishop has his own upkeep to determine. This is a common practice in the church. We never know what deficits or surpluses there may be in the administration or the financial condition of a diocese. Therefore, it would be impossible for me to answer that question.

I would say this: when we have deficits, we try to meet them by offerings from the people. When I say, "the people", I am talking about the people in general. When the deficits are too great, we go into debt and wait for better years to meet the principal obligation and interest on that debt.

Another factor which should be mentioned is this upon which I touched this morning: We have religious communities of women. We have lay brothers and we have religious priests who are not working for a stated salary and who are giving their time free of charge to these missions. If we had to pay all these salaries, we would be like the Church of England, very much in the red.

Mr. RAYMOND: I have no other questions, Mr. Chairman, but may I take this opportunity of congratulating Father Plourde for his fine presentation on behalf of the Catholic Church.

*By Mr. Brunelle:*

Q. You spoke of the training you give the young Indians in agriculture. Do you have the assistance of some government instructor, some expert?—A. Not in our residential schools, but if the school is built on the reserve and there is a farm instructor on that reserve, the farm instructor will come to the school upon request. However, I do not think it is the part of a farm instructor's duties to give lessons to school pupils in a residential school.

Q. You stated a while ago that you did put up about 20 residential schools. When these schools were built, did you receive any grant or any money for maintenance or repairs?—A. We receive a certain amount of money every year, at the present time, for general repairs and replacements. I cannot say how far back that practice goes. I have not been with the church authorities long enough to state, for instance, what was given to the Williams Lake School in B.C. when it was put up some 65 years ago. Just what amount of money the Department of Indian Affairs contributed to that school I would not know. I know in other places such as Grouard and Jossard, a fairly large amount was received by way of a grant towards the building.

Q. Do you think the grants you received for those schools which you built yourself are the same as those which are given to the schools put up by the department?—A. Yes, the same grants.

Q. Are those schools you built yourselves, those 20 schools, for instance, run according to the regulations of the department?—A. Absolutely.

Q. Do you have any difficulty finding teachers?—A. Our system of finding teachers for these residential schools is simplified by the fact we have religious communities in charge of each school. In these religious communities there are certain numbers of women who devote their lives to teaching and certain numbers who devote their lives to nursing and so forth. When we are in need of a school teacher, we write to the provincial or perhaps to the Mother General of the Order saying we need three, two or five teachers for such a school of which you are in charge for next September. The Sister Superior or the Provincial General finds them for us. If she does not succeed she writes in and says she has been unable to find those teachers for which we asked. Then, we look around for a lay teacher and hire a lay teacher at whatever salary she may demand.

Q. Do you have difficulty in securing the services of these lay teachers?—A. Lay teachers for the far away schools are difficult to obtain.

Q. As I could not be here this morning, I hesitate to ask any more questions because I think someone else may have asked the same questions.

Mr. HOBY: I believe the government a number of years ago, before I entered the department, under Mr. Stewart, followed a policy of gradually purchasing the church-owned schools. We know that schools were purchased during Mr. Stewart's regime. Supposing the government decided now to purchase back all the church-owned schools. Personally, I think the government should. Would the government encounter any difficulty from the Oblate Order. Would the Oblate Order be prepared to do now as they did then? What would your attitude on that proposal be?

The WITNESS: It is difficult for a subordinate to speak for his superiors. You know that, I suppose, so I could not answer this with authority. My impression is this, though, that the various Bishops who have schools built with church money would be glad to dispose of them to the government at a given price to be arrived at by investigation to ascertain the cost of replacement and so forth. I think that would be quite in order.

Mr. HOBY: Would you personally be in favour of that?

The WITNESS: I negotiated the sale of the four schools you mentioned. I do not know if that would answer your question or not.

*By Mr. Richard:*

Q. Did you make a good deal?—A. I think so.

*By Mr. Reid:*

Q. I have quite a number of questions, but I will try to confine myself to the ten minutes allotted. First of all, Mr. Chairman, I do not want to appear to be hypercritical but I should like to make one slight correction on page 1 of the brief. My ancestors having been with Wolfe on the Plains of Abraham, I should like that word, "England" changed to "Britain". There was no conquest of Canada by England. Scotland and England joined in the year 1707. My ancestors having come with Wolfe I am a little particular on this subject.

My first question is, on page 1 of the brief, you say the census figures on the population of the Indians shows there were 125,668 Indians. I note you say that at least 65,000 of the Indians of Canada are members of the Catholic Church. In the same census which you quote for the total population you will find that it gives the number of Roman Catholics as 63,115. I am wondering how you arrive at that 65,000 because it might be important when we come to talk of percentages later on.—A. If you look up the census, the population for

Alberta, under Lesser Slave Lake agency you will find there are 2,967 Indians in that reserve, and that its Catholic population is not mentioned. If you go back to the 1939 census you will find that the difference between this, taking this figure—

*By Mr. Gariepy:*

Q. Which figures? You had better make that clear.

Mr. REID: He means the 63,115.

The WITNESS: 63,115 plus the Lesser Slave Lake agency population where they are nearly all Catholics will give 65,000. When I say nearly all I would correct myself and I would say they are 90 per cent Catholic.

*By Mr. Reid:*

Q. On page 4 of your brief you speak of the system in the United States as compared with Canada. I should like to ask this question. Does the attitude of the parents not have a considerable bearing on the education of the children? I mention that because since family allowances have been in effect in Canada I think it is generally conceded that attendance at schools has increased. The parents get the family allowance, and naturally they have an interest in their children going to school. I am asking if the fact of the parents having an interest in the children does not have an effect on the children attending school?—A. That is why I say our figures of attendance are 70·19 which shows a betterment of a little more than 10 per cent, and I say that possibly that is due to the payment of family allowances.

Q. On page 8 you say that teachers in both residential and day schools should become civil servants. My question there is would you suggest that the department should appoint the teachers and make them permanent civil servants?—A. Some scheme would have to be found whereby our religious teachers would become civil servants. I do not think there is any difficulty in that point. Our sisters are civil servants in Ontario and they are civil servants in other provinces where after some 25 or 30 years of teaching they draw a pension.

Q. We had complaints here of schools being closed for lack of teachers due to one church or the other not taking teachers who were not favourable to that church, and the question arose whether the teachers should not be appointed by the government in the various provinces. That is the reason for my question to you in the light of your statement on page 8. You are definite that they should become civil servants?—A. We cannot see any difficulty at all in that point. I do not think it would reduce the number of our teachers. I think it would increase them.

Q. I was rather interested in the statement you made to Mr. Case as to the representation made by the British Columbia Indians. My question to you is this. I met the chiefs and members of various tribes in British Columbia. I will mention one, the meeting at Chilliwack. The group there was as to religion, mixed 50-50. All those Indians had a chance to express themselves. My question is would I be wrong in assuming that in presenting the brief they gave me that it did not present the views of the Indians assembled there?

Mr. FARQUHAR: Did not which?

*By Mr. Reid:*

Q. I am asking if the brief I presented here emanating from that gathering of Indians, who were 50 per cent Protestant and 50 per cent Roman Catholic, was not representative of the Indians gathered in that assembly?—A. I would ask Father O'Grady of British Columbia to answer that question.

The CHAIRMAN: Would you answer that Father O'Grady?



Mr. REID: To repeat my question was, at the meeting I had with the Indians at Chilliwack 50 per cent of them were Protestant and 50 per cent were Roman Catholic. I want to know if the brief presented to me at that time was not representative of the Indians gathered there on that occasion? There were a great number of tribes, and probably 100 Indians were gathered in the hall. We discussed their problems all day. Then they presented the brief to me which was agreed to by all the Indians present. I am wondering about the statement made by Father Plourde in answer to Mr. Case when he stated that the views coming from British Columbia did not represent the viewpoint of the Roman Catholic Indians of British Columbia.

Mr. RICHARD: Did Father Plourde mean that brief was the one they presented here?

FATHER O'GRADY: I think that question was referred to in the brief presented by the Native Brotherhood of British Columbia who stated they represented all of the Indians of British Columbia including the Catholic Indians. I understand there are about 14,000 Catholic Indians in British Columbia out of 25,000 Indians in the province. From what I know and what I have been told I do not think that the Native Brotherhood was representative of those 14,000 Indians in the province of British Columbia although they stated that they had representatives on their council who were Catholics. I have been told that the briefs presented by the local Indians and local tribes in the Fraser Valley are representative of the Catholic Indians who do not belong to the Native Brotherhood.

Mr. REID: The brief I presented to the committee was not from the Native Brotherhood. It is a brief which is on file, and which the Indians at that gathering gave to me to bring to the committee. It is entirely apart from the brief presented by the Native Brotherhood.

FATHER O'GRADY: I am referring to the remark of Father Plourde and his answer to Mr. Case where it was stated that those representing the Native Brotherhood did not, Father Plourde said, represent all the Indians of British Columbia. No doubt the brief which was presented to you at Chilliwack was representative of the Indians in that locality. I do not know who wrote that brief, but if it was signed by all of the local Indians it would be representative of that local gathering.

Mr. CASE: Of course, Mr. Chairman, the point there is we cannot tell whether they are Catholics until they are certified by the Bishop or some church dignitary. We had one declare himself a Catholic here and they say he is not a Catholic. Therefore you could not tell whether there are 14,000 Catholics.

*By Mr. Reid:*

Q. Do you believe, Father Plourde, that there should be a follow-up system after the boys and girls leave either the day school or residential school?—A. We certainly believe in a follow-up system of some kind. It is certainly very sad to see boys and girls at 16 years of age leaving a school where they were well clothed, well fed, well taken care of, and going back to a reserve without anything to do and without any prospect of being able to settle down. I have heard several of our missionaries mention the fact that in their opinion the Indian problem was one that was economic in this sense, that the Indian is not a lazy fellow by any means. He will work for his living. He is not a dissipated man either. He will behave properly if given a chance, police protection and so forth. He is not an immoral man. He is a family man. He likes his wife and children. In other words, he is what I would call, at least in prospect, a very good Canadian citizen, but the man has no job. The man has nothing to do on the reserve. In order to earn an honest dollar in most cases he has to travel 15 or 20 miles. If some

economic scheme could be devised whereby work on the reserve could be made available to these men I think they would be just as good as any white man that we have around our small towns and in districts of our larger cities.

Q. I have one more question I should like to ask. I know my time is up.

The CHAIRMAN: With the unanimous consent of the committee it will be quite in order.

*By Mr. Reid:*

Q. Perhaps I am more concerned with my own problems in asking this question. What do you have to say regarding Indian children mixing with white children in provincial public schools as they do in British Columbia? As you know we had the Japanese come and to their advantage mix with our children. They sat with them and were taught in the same class rooms. We thought that was the best way to bring them up. I am wondering if you would care to express a view on that because in British Columbia we think that is the best way to do it.—A. It is very difficult for us to express an opinion, especially to go on record, that would be straight forward and sincere. Could I say this off the record?

The CHAIRMAN: Yes.

(Off the record).

*By Mr. Charlton:*

Q. Most of the questions that I had in mind have been answered but there is one I should like to ask Father Plourde. It has been mentioned quite considerably by the various delegations who have had denominational schools on their reserves that for some reason or other when the children go home for their summer recess they are more or less out of the control of the parents, that they will not do what the parents tell them, that they have no discipline over them. What would your comment be with regard to that?—A. A child of one of our residential schools who goes back home and is not obedient to his father or mother has certainly not imbibed the lessons received in that school. That there should be some is not out of the ordinary because there are bad boys and bad girls all over the world. You cannot make a child a good child by sending him to a religious school. There is no doubt about that. You can better his state of mind. You can teach him the right principles, and so forth, but if he is inwardly bad you cannot do anything with him.

Q. Do you think that the discipline in the residential school is up to the standard of the day school?—A. I think it is better.

Q. There is one other question that was brought up here by one of the delegations. I forget which one it was. They said that when there are two schools of the two different denominations, one Protestant and one Roman Catholic, on the same reserve that when the children go home for the recess they do not intermingle one with the other during that time. Have you any evidence of that?—A. I have no evidence of that, but I think it is quite possible. I was brought up in a city where we had Irish schools and French schools. I went to a French school, and a lot of my little friends went to an Irish school, and we often had a lot of real good fights at recess time.

Q. I have one other question. As you know, Father Plourde, it has been suggested that the present denominational residential schools be taken over by the state, made non-denominational and turned into vocational schools for Indian children past the age of the day school. Obviously if that were approved you would not be in accord with it, but do you think where the day schools are doing a fairly good job that there are a certain number of these denominational schools that could be taken over and used as vocational schools?—A. Do you mean run as non-denominational?

Q. Yes.—A. I do not think so. When I say "I do not think so" I mean by that our Catholic Indians would not want that.

*By Mr. Harkness:*

Q. On page 2 of your brief you state:

We are most anxious, therefore, that the teachers in our schools have all the academic qualifications required of teachers in our provincial schools.

In reply to Mr. Lickers I believe you said you have 137 teachers all told ranging in qualification from grade 10 to M.A., but of those I think you said there were only 39 who had normal school training. Maybe I have the figures mixed.—A. 37 is right for normal school training.

Q. And 139 altogether?—A. Maybe I should have been more explicit. I received answers as to the qualifications of teachers from a number of schools. I forget the exact number, but the total number of teachers in those schools was 137.

Q. My question is why is it that such a large proportion of your teachers have not attended normal school and had teacher training?—A. We are dealing with Indian education. It is very hard for Indian schools to attract competent normal school teachers. It is very difficult. The surroundings are not what they like. They are far away from home. The cost of travel is very high. Generally speaking we have taken the best that we could get, and the best that we can get are summarized in this list I have given you. I would say this though that if the suggestion that I have made in the brief is adopted that the teachers become civil servants and be paid adequate salaries that we would in time—I cannot say how long it would be—have certified or certificated teachers in all our schools.

Q. Do you think that the very marked difference between the number of Indian children who pass even out of public school, let alone high school, as compared with white children is due to any very considerable extent to the fact that the great majority of the teachers in the Indian schools are not properly trained?—A. Personally I do not think so, but I would not want my opinion to be accepted as very definite on a subject as vast as that. You must remember you are dealing with a very primitive race, and education for them is not looked upon as it is by the white people. When any white couple marries they know they will have children. They begin almost right away to prepare for the time when those children will have to go to school. Sometimes they are people of means. They will choose the school ahead of time. Otherwise they get close to a school and they see that the child at the age of 6 or 7 is registered in a school, and they follow that child. If it is a girl they want to see her first in the class and that she reads well and plays music, and so forth. You do not have that attitude towards education among our Indian people. You are dealing with a very primitive race, and you cannot compare them with white people at any stage of their education.

Q. However, you would agree that it would be desirable that all teachers teaching Indian children should have better training?—A. We are definitely of that opinion.

Q. To me it is somewhat the same thing as a man going out to practise law if he has only a B.A. degree without any training in law. To send somebody out to teach if they only have a B.A. degree without any training in teaching is much the same thing. It certainly would not work in law and I do not think it works in education.—A. We are very very much in favour of normal school training for all our teachers.

Q. As to the matter of day schools and residential schools the general opinion that I have gathered from the Indians who have appeared here, and a



lot to whom I have talked in my own province of Alberta, is that the residential school in the more settled areas has now to a large extent outlived its usefulness, and the Indians would prefer to have day schools in those areas whilst retaining residential schools in the less settled areas for the more nomadic tribes. Do you think that is sound? Would you agree with that? What would be your opinion on it?—A. I am being questioned on matters which some of my confreres might be in a better position to answer, but I will answer this particular question that you are asking. Indians are not of the same calibre, as it were. They are not of the same intellectual development. They have not the same material means. Take the Blackfoot and the Blood Indians in the southern part of Alberta. The Blackfoot are a rich band. They have two residential schools on that reserve. They are not asking for day schools.

Q. Some of them are.—A. I would admit that you cannot have unanimity of opinion in any group of men. You might have three, or four, or five, families asking for day schools. I will not deny that, but I am talking about the majority on that reserve. They are supporting in great part their educational facilities on that reserve, and if they did not want residential schools they would certainly do away with them. There are briefs from those two large reserves, and they state very definitely that they want their residential schools kept up and developed. The Blood Indians on that big 70-mile long reserve say that day schools are out of the question because communications are impossible.

Q. As a matter of fact, on that particular reserve and also on the Blackfoot reserve the opinion I gathered was that they wanted a combination of residential and day schools.—A. They want a combination in this sense, that they want their children to go home oftener than they are doing at the present time. I believe the principal of the Cardston school has been allowing Christmas holidays to his children without the full knowledge of the Indian Affairs Branch.

Q. As far as the general proposition is concerned though you are really not prepared to express an opinion, that the day school should gradually take the place of the residential school to a large extent in the more settled and civilized parts of the country?—A. We are not bound in any shape or form to residential schools. We believe that, for the present, the residential school is the best method of educating our Indian children and bringing them up to a state comparable to that of our own civilization, but we are not bound to that. The day that we think we can do away with residential schools or replace them with day schools I think we will be the first ones to say to the government, "Please replace this school with a day school; the time for this residential school has passed."

Q. The point I was getting at is we have had a lot of representations that in the more settled areas the residential school should give place to the day school. I wanted to get your idea or reaction on that. I gather you do not think the day has yet come when that should happen?—A. I will not say that there are absolutely no places where that time has not come, but I do believe that 95 per cent of our residential schools should still be maintained.

*By Mr. Case:*

Q. That is a big percentage.—A. It is a big percentage because it is in proportion to the needs.

*By Mr. Harkness:*

Q. On page 7 of your brief you give by provinces the percentage for whom there are no schools. What is the source of your figures?—A. The published reports of the Indian Affairs Branch.

Q. I was wondering particularly about Nova Scotia, New Brunswick and Prince Edward Island. When a part of this committee was down there last fall as a commission we did not find that there were any children without schooling, as I remember it. We had no complaints from the Indians or from the departmental officials or from the church officials that that was the case. I was wondering about those three provinces particularly and the percentages that are given. That is the first indication I have had that in those three provinces there were very considerable numbers of children for whom no school facilities were provided.—A. These figures were compiled by taking the number of children registered in the schools and the number of children of school age.

Q. I think that perhaps later we can get something from Mr. Hoey or Mr. Neary in connection with that. I do not think we had better get it now.

The CHAIRMAN: Are you finished?

Mr. HARKNESS: No.

*By Mr. Harkness:*

Q. On page 12 in connection with hospitals you deal with the hour of death, and so on, and you say:—

That is why she (the church) deems it of the utmost importance that she be able to minister to her children in that supreme moment.

Are there any hospitals or have you had any cases in which it was not possible for the church to minister to any of your own congregation at such a time? In other words, have there been any actual, practical difficulties along these lines?—A. There are a few cases which are very important in themselves, but I do not think they should be put on the record here, of men dying without the presence of a priest. What we mean by this statement as found in the brief is that, the time of sickness is the most precious time in the life of any Catholic. It is particularly important, if he is at the time of death, that he should have a visit often by the priest. Facilities for those visits should be given to the clergymen or priest.

Q. That was really my question. Is there any difficulty in the priest's doing that at the present time?—A. There are ways and ways of assisting a sick man. I am a priest. For instance, I am supposed to live a fairly decent life.

Q. I am sure it is not a supposition.—A. If I were told to-day that I am going to die, say, in two weeks. I have cancer and I am going to die in two or three weeks. I would want to go to a catholic hospital where I could see a priest every day, even several times a day. I would want to receive communion every day. I would want the nursing sisters around my bed to offer prayers so I might end my life as I want to end it, in union with God.

.Now, this is a doctrine which may be foreign to some of you who are not of our faith. That is what we believe and that is what we want in our catholic institutions.

Q. I see your point, but I gather there is really no bar to a priest going to see any dying Indian?—A. No, I have not said that.

Q. That was the point I wanted cleared up.—A. I did not accuse doctors or nurses in state hospitals of interfering whatever with the ministry of the priest. I do not think it is in the brief and, if it were, I would be the first one to want it out.

Q. On page 22 of the brief, near the bottom of the page, you say,

For most Indian children it seems that the half day system, completed by properly organized and practicable vocational training would be satisfactory.

Personally, I think the Indian children should be on the same basis as any other children. We certainly do not consider the half day system of education is satisfactory for the white children and, as a result, personally I do not see why it is satisfactory for the Indian children. Personally, I take very strong objection to that statement in your brief. I think it is the type of thing which is likely to propagate and continue forever what you might call discrimination between white and Indian—A. We do not advocate the system as a perpetual system. We advocate it for the present time. We certainly are, as you might say, in the hands of your government officials who can say to us to-morrow, "This half day system is not wanted any more; please do away with it and keep the children in class just the same length of time as the white children." We were asked for information. We have had 100 years' experience in this Indian work. We know the Indian mind. We know the Indian child. We know the health of the Indians. We know the Indian's general reaction to education, to three hours in front of a desk in the morning and three hours in the afternoon. We know how the Indian child reacts to such compulsion. We say the time has not come yet for that compulsion. We may be mistaken. It is up to the Indian Affairs Branch to state right away, to-morrow if they so desire, that this system is not wanted any more.

Q. I am not just saying this— A. Pardon me, we are the obedient servants of the state in these residential schools as well as the day schools. We are working with the government. We are not working against the government. We have no scheme of any kind which we want to inculcate into the school system of the Indian Affairs Branch. There is none of that. We want to work with the department and if they say this is the end of that system, well and good. We will be their obedient servants.

Q. I should like to say in that connection, the reason I hold these views so strongly is that on the Blackfeet reserve in Montana around Browning, there are exactly the same type of people as are on the Blood Reserve and Blackfeet reserve in Canada. In the United States a considerable number of Indian children graduate from the high school every year. More than a score of these pupils have gone through university as doctors, lawyers and so forth. The only reason I can see for this tremendous difference between the state of affairs in Canada and the Indians of the Blackfeet reserve in Montana is the difference in the educational system. In the United States, they have a full day of education and I can see no other reason for the fact that our Blackfeet are so much behind the American Blackfeet in education.

Father CHARBON: If I may, I should like to answer this statement. I believe you will find the Blackfeet Indians in Montana are mostly half-breeds. Secondly, if you go and visit Star School in the United States, you will find a striking difference. If you go to Star school you will find the Indian children attending do not go beyond the eighth grade. Miss McCready, along with the acting agent of the Blood reserve visited Star school in Montana and found it was far below the standards of our school. Therefore, you would have two different sets opposed to one another. You are calling them Indians, but they are mostly half-breeds. In the town of Browning, they receive more education than our Indians because the United States started schools away ahead of ours. Therefore, you have different sets opposing one another and you are not comparing entirely Indian population, but mostly a half-breed population.

*By Senator Blais:*

Q. Some delegates complained here that in the residential schools the boys were expected to do too many chores. Is there any foundation for that statement?—A. It is very hard to answer that question thoroughly because we have 45 schools. The 45 schools are situated from the Atlantic to the Pacific and



conditions vary in each of them. To run those 45 schools, we have 45 principals and we have 45 religious orders. One principal may well think, for instance, boys of 14 can and should do a certain amount of work. He may insist on their doing it. Another principal may say, "no, that boy is too young; we won't let him do this kind of work." Some principal may say, "Well, I have so much hay to bring in. I have so many potatoes to harvest. They have to be harvested before the frost comes". He cannot hire anyone around the school, so he asks these boys at times, not always though, to do a certain amount of hard work. I do not think the remark could be applied to all our schools. I do not think it could be said that these boys are made to work harder than their physical capacity permits.

The CHAIRMAN: I believe that terminates our questions.

Mr. CHARLTON: If I may, I have one more question I should like to ask.

The CHAIRMAN: Is that agreeable to the committee?

Carried.

*By Mr. Charlton:*

Q. You made a statement a few moments ago suggesting that the ability of the Indian child to absorb education was far lower than that of a white child?—A. Did I say "far lower"?

Q. Well, lower. Would you not say that, if given the same opportunity the Indian child is just as capable as the white, if both are taken from the same district?—A. I would say that the Indian child, by itself, has that intellectual capacity, but I would say he has not the physical capacity to stand the daily grind of six hours of school per day for 8, 9 or 10 years.

The CHAIRMAN: Gentlemen, it may be that you would like to examine some of the other delegates who are here.

Mr. REID: No one has been heard who is a principal of a residential school. I believe we should hear someone who is.

The CHAIRMAN: Not only that, but we have Father Forcade, present who is responsible for the display of slippers made by the Grouard Indian Co-operative Company. Many of the members have expressed a desire to have a word from him. We might very well hear from Father O'Grady who has been operating a large residential school, if that is your pleasure.

Father Plourde, I should like to thank you on behalf of this committee for the able presentation of your brief and for your co-operation in answering questions on the material contained in the brief. The committee now asks that you stand aside while some of the other delegates come forward to be heard.

Father O'Grady, would you come forward.

**Father Fergus O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C., called:**

*By the Chairman:*

Q. I believe you are the principal of the largest residential school in Canada?—A. Yes.

The CHAIRMAN: Mr. Reid, have you any questions you desire to put to Father O'Grady?

Mr. REID: No, I should like to have the Father tell the committee what he is doing and show some of his school pictures.

The CHAIRMAN: Would you proceed, Father?

*By Mr. Case:*

Q. What is the name of your school?—A. It is called the Indian residential school at Kamloops, British Columbia. I should like to make a few remarks concerning Indian residential schools. I have been the principal of two of the largest residential schools for the past eleven years. I was the principal of the Mission residential school, at Mission, British Columbia, and have been principal at the Kamloops residential school for the past 8 years. From some of the remarks, I gather that some of the members of the committee may feel that children at residential schools do not feel at home. I think our Indian children find a very homelike spirit in the residential school. We have love and affection for the Indian children. As soon as they come to the school we try to make them feel very much at home. We treat them very kindly and make them comfortable, clothe and feed them well. I have found, when the time comes for holidays many of the children are reluctant to leave their association with the residential school. They find I think, a remarkable home where they are well treated, where they have happy companions whom they will miss as soon as they leave school.

Another point I should like to stress is that I think our Indian children have done very well, remarkably well, under the half day system in our residential schools. It is surprising what a degree of education and knowledge these children obtain in the residential schools. Recently, we had a test with five white schools and our Indian residential school. The results in the language and arts department were that our children, in grades six and seven, were ranked first. Mind you, these children had been in attendance only half a day all that time.

There is another point which I should like to stress with reference to vocational training. When a child goes to residential school we give him vocational training along with his classical studies. These children not only acquire the same knowledge as the white children but very often acquire, as we see by testing them in school, a proficiency in vocational training. The boys learn carpentry and mechanics. They learn the care of animals and the planting of seeds in the garden. This is so much a fact that the Kamloops high school pupils come to our school for their lessons in animal husbandry and agriculture, as you may see by some of the pictures we have. This class comes regularly to our school in their school bus. Our Indian boys teach them things about carpentry and about the care of animals. I think that is quite a credit to the residential school. We do not separate the white children from the Indian children and that in another point I wish to stress.

The Indian children join the white children in their games in town. Our boys won the championship in baseball in a league with white boys. We have a brass band of 32 pieces which plays frequently with the white boys and the white boys from the town will come with their brass band and join with ours. They will play for concerts and put on displays. Our Indian children join the parties of the white people. They mix with them, I would say quite frequently. There is not that inferiority complex which is sometimes found among the Indians who do not associate with white people very much. Our children do not seem to have that inferiority complex at all.

I have put several pictures at the disposal of the committee. The one point which I came here to explain is this question of vocational training. I think the residential school can add very much to the activity and spirit of a reserve through vocational training projects. I am sure we are all agreed that the breakdown in education among the Indians takes place in that period immediately after school, whether it is after attendance at a day school or residential school. There are several years during that period when our children seem to drift away and put their education to no use whatever. I think we

should try to make an effort to establish a post-school program for our Indian graduates from the residential school. I have worked on this question for several years and I feel that if we can establish our graduate pupils in little homes of their own on the reserves and keep in constant touch with them, we can add to the education which they receive. The education which they have received in the residential school would be put to good use.

With that in mind, we established a sawmill at the school. We now have cut 10,000 feet of lumber which is sufficient for the building of comfortable, suitable homes on the reserve for graduate pupils. As you can see in the pictures we have sufficient lumber prepared to build a home for every graduate pupil from our school. There are, roughly, about thirty, fifteen boys and fifteen girls who graduate each year. We have the lumber ready now to build 30 homes for these graduate pupils.

*By Mr. Case:*

Q. On the pupils' home reserve?—A. On their home reserve, yes. I would start this as a vocational training project under the direction of the manual training teacher at the school. We have a large technical school building which the boys built themselves. In that technical school the boys learn carpentry and become proficient in that art. Under the direction of the manual training teacher, these boys could very easily build their own homes on the reserve. I would not have it completely constructed by the manual training instructor because I think the boy should feel he is building his own home. Let the boy finish his own home. I think, under the guidance of the instructor, it should be started and built by the boy himself.

In our school, we have boys making articles of furniture in the manual training shop. They have made desks, chairs, tables and things of that nature which they mark and take home with them when they graduate from school. Likewise, the girls have made articles of clothing and furnishings for the home, tablecloths and things of that nature which they also may take home when they leave school. If we can proceed in the direction of a home on the reserve and have it furnished with the furniture made by the boy in school, I think we will establish a necessary contact between the school and the home, between the school and the reserve. We must establish that link, otherwise the graduates from the school have nothing to which they can look forward when they leave school. Consequently, the Indian graduates look for positions or work in the United States and they do not return, sometimes for several years. Consequently we must complete the contact with them and their education, which contact we have lost.

Those are the viewpoints which I wished to state. If any of the members wish to ask questions concerning these projects, I would be glad to answer them.

The CHAIRMAN: Since we only have a few minutes and several of the members have asked that we hear Father Forcade, I think we should proceed with him.

*By Mr. Case:*

Q. Your school is a government-owned project?—A. Yes.

The CHAIRMAN: Would it be agreeable, then, to hear from Father Forcade in connection with the Indian Co-operative?

Agreed.

Mr. CASE: I think Father O'Grady is certainly entitled to commendation for that very fine discourse.



The CHAIRMAN: I thank you for reminding me of that, Mr. Case. I want to thank you very much for your assistance here. Unfortunately, we are cramped for time and I am trying to rush things along as much as possible. I want you to know the committee appreciates your efforts.

**Father Gérard Forcade, O.M.I., Grouard Indian Residential School, Alberta, called:**

*By the Chairman:*

Q. Father Forcade, you direct, I believe, the Grouard Indian Co-operative. Would you care to tell us something about it? I see your display here?—

A. Gentlemen, you will find the full story of it at the end of the brief. I will not go into all those details. If you wish to ask direct questions, it will be very easy for me to answer. You will note that the purpose of organizing it as a co-operative was to build up the community and the school. The principal idea was to build up the community. It was very hard to follow up the pupils in after-school life. We worked and studied and we found the co-operative system, the co-operative organization to be the set-up to build the community. As the result, we have been running it now for four years. We have a community of about 25 homes in this new settlement. I might just point out that in the brief it was stated that it was organized and built up into a mission. There were no homes there at the beginning, and it has been built up into a community. The co-operative system is not only an economic system but an educational system as well. This project has done our people a great deal of good.

Q. How many people do you employ there?—A. The brief says from 2 to 20. When we are dealing with Indians we have to organize it in such a way that they can live according to their own feelings and still the co-operative will run. One day we may have two, another day we may have ten and another day we may have twenty. We have had as many as thirty. They are on piecework.

Q. How long has it been organized?—A. The Co-operative Store has been organized for four years. The Co-operative Slipper Factory has been in operation for three years. The Co-operative Credit Union and the other organizations such as the Post Office, Amusement Hall and Fur Trading Post have been running for two years.

Q. Do you just manufacture slippers?—A. We just manufacture slippers.

Q. How many pairs of slippers did they turn out in 1946?—A. They turned out an average of 700 pairs a month.

Q. 700 pairs?—A. 700 pairs a month. As we are organized the possibility is for 3,000 pairs a month.

Q. Where do you merchandise these slippers?—A. We have a representative in almost every large city of Canada, Vancouver, Calgary, Edmonton, Winnipeg, Hamilton and Toronto. I think that is as far as we go. They can take away more than we will make for a long time because we have had many many demands from the United States and we have never touched them. I am not ashamed to say that the reason for that is that they have made probably the best slipper of that kind so far in America. I am not going to go into detail to tell you why. There are reasons. They are represented on the slipper such as, for instance, the braid that is used for the seam. In the east here they use what they call piping made out of oilcloth. We do not use that. We use that silk braid for the seam. That is made for us. It is something worth while. It will hold that slipper for a long time.

The CHAIRMAN: I hope that the members of the committee will avail themselves of the opportunity to examine the display over there. I may say, too, that when the members of the commission visited Lorette last fall they were all given a pair of slippers. Nothing is suggested, of course.

Mr. CASE: There were not so many in that party. Do not be misled by the chairman. There were only a few who went to Lorette.

The CHAIRMAN: It is after 6 o'clock.

Cardinal McGUIGAN: Mr. Chairman, honourable members of the Senate and House of Commons, gentlemen: Having introduced this delegation I should like to avail myself of your kindness to thank you for your great courtesy and also for the kindly reception you have given to the brief presented by our missionaries, your attentive hearing of the brief, and your frank and keen interest in and understanding of the viewpoints of the missionaries, conscious that you wish to obtain the fullest information and knowledge in order to better our Indian brethren. Now, may I say frankly that there are viewpoints of Catholics on certain matters such as education and spiritual care of the sick which stem from our faith and belief which we realize are not easily understood by those who are not Catholics. Nevertheless, we feel in such matters which touch on religion you will be generous in safeguarding that spirit of religious liberty and the liberty of the individual conscience which is one of the glories of the country in which we live.

We sincerely hope that the interest aroused by the examination and consideration of the Indian Act, in spite of the many different points of view and the many angles which must be considered, will bring about what everybody desires, and that is, the fullest possible benefits for the furthering of the educational, social and civic welfare of these people who are the descendants of the original settlers of this great land. Thank you one and all.

The CHAIRMAN: Thank you very much, your Eminence. We appreciate very much your kindly words. I think you may see from your observation of the workings of this committee that the members have a sincere desire to help the Indians to help themselves. I think this spirit prevails regardless of any party affiliation of any member of the committee. We appreciate very much your coming here and honouring us with your presence. Your delegation has helped us in our deliberations. This is a rather serious matter. There has been no revision of the Indian Act for many years and we, as a committee, are trying to be fair to all classes and all bodies of the Canadian people generally and the Indian people in particular. We are endeavouring to raise the standard of the Indian and, for that reason, we appreciate very much that you and your delegation are here with us to-day.

Thank you very much.

The committee adjourned at 6.10 p.m., to meet again on Thursday next, 29th May, at 11 o'clock a.m.







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(SESSION 1947)



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

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No. 28

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THURSDAY, MAY 29, 1947

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### WITNESSES:

The Very Reverend J. W. Woodside, D.D., LL.D., Past-Moderator, The  
United Church of Canada, Ottawa, Ontario;

The Reverend Lloyd Smith, D.D., Chairman, Board of Home Missions,  
The United Church of Canada, Montreal, Quebec;

The Reverend George Dorey, D.D., Secretary, Board of Home Missions,  
The United Church of Canada, Toronto, Ontario.

OTTAWA  
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## MINUTES OF PROCEEDINGS

THE SENATE,

THURSDAY, 29th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

*Presiding:* Mr. D. F. Brown, M.P., Joint Chairman.

*Present—The Senate:* The Honourable Senator Blais.—1

*The House of Commons:* Messrs. Brown, Blackmore, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), Richard (*Gloucester*).—12.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent Welfare and Training; H. M. Jones, Supervisor, Family Allowances; W. S. Arniel, Inspector for Ontario; Dr. P. E. Moore, Indian Medical Services; K. Balderston; also, Reverend Fathers Plourde, O'Grady and Brachet.

The Chairman extended a welcome to the following members of a delegation from the United Church of Canada:

The Very Reverend J. W. Woodside, D.D., LL.D., Past-Moderator, The United Church of Canada, Ottawa, Ontario;

The Reverend Lloyd Smith, D.D., Chairman, Board of Home Missions, The United Church of Canada, Montreal, Quebec;

The Reverend George Dorey, D.D., Secretary, Board of Home Missions, The United Church of Canada, Toronto, Ontario.

A brief submitted by the Board of Home Missions of the United Church of Canada was read by the Reverend George Dorey, and he was questioned thereon.

The Vice-Chairman (Mr. J. E. Matthews, M.P.), for the Chairman, who had to leave to attend another meeting, conveyed to Dr. Dorey the thanks of the Committee for a very complete brief and for the very admirable manner in which he had replied to questions put to him by members of the Committee.

The Committee adjourned at 1.05 p.m., to meet again on Tuesday next, 3rd June, at 11 o'clock a.m.

T. L. McEVOY,

*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

THE SENATE,  
May 29, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Gentlemen, we will come to order, now. The report of the subcommittee on procedure and agenda will not be presented until the next meeting. This morning we are honoured in having a presentation to be given on behalf of the United Church. The delegation is composed of the Very Reverend J. W. Woodside, D.D. LL.D., Past-Moderator, the United Church of Canada: the Reverend A. Lloyd Smith, D.D., Chairman, Board of Home Missions; the Reverend George Dorey, D.D., Secretary, Board of Home Missions, the United Church of Canada.

Now on behalf of the committee I would like to welcome this delegation to this meeting and assure them that we will do everything we can to give consideration to their views on this matter, that is with respect to the revision of the **Indian Act** when the same is up for revision. In the meantime this committee is fact-finding in an attempt to learn all it can of the Indian life and the administration of the legislation affecting Indians in Canada. We are doing this with a view to revising the Indian Act in order to accomplish the best that we can for the Indian welfare.

I would like at this time to present to you Dr. Woodside, Past-Moderator of the United Church of Canada, who is a resident of Ottawa and is here before you. Dr. Smith will be here very shortly and then we have Dr. George Dorey, the Secretary of the Board of Home Missions, who will be reading the brief

### **The Reverend George Dorey, D.D., Secretary, Board of Home Missions, called:**

The WITNESS: Mr. Chairman, may I first of all say that we welcome the opportunity of putting our views before the committee. I am sorry that Dr. Smith's train is not yet here but he will be along shortly.

The United Church of Canada is grateful that in the Providence of God it has, through its parent churches, been privileged to serve the native people of Canada ever since its members have been in contact with the first inhabitants of this country. The work began through neighborly friendliness. Its development became the inspiration of the church. It is a matter of justifiable pride that the Cree syllabic alphabet was the invention of a Methodist missionary at Norway House—the Rev. James Evans, and that the first Indian residential school—Mount Elgin—was opened by the Methodist Church over one hundred years ago.

However, we do not feel that any church has to justify its missionary work. In spite of failures, we believe that the change from paganism to Christianity is such that we can let the work speak for itself.

At the invitation of the committee, we desire to present the opinion of the Board of Home Missions of The United Church of Canada on the matters now being studied by your committee.



## I. ADMINISTRATION

(a) *General Considerations:* We believe that the time has come for the people of Canada, acting through parliament, to set forth clearly what is intended for the native people. The present policy has been to keep the Indians on reserves; to hold them in what has been described as "wardship"; to look after their interests in a decent, paternal fashion. There is no desire on the part of the church to cast stones at the past, but simply to note the facts as objectively as possible. The reasons why certain policies were adopted in the first instance were on the whole good, and it is possible that without the reserve system the generality of the Indian people in Canada would have been worse off economically, and might even have disappeared altogether. Nevertheless, the fact remains that the policy has been a hindrance to one of the main objects both of Christianity and the democratic system—that is, to promote the development of personality through the exercise of judgments of value. In making these judgments, individuals and groups make mistakes, and learn from them and gradually advance; but a group which is held in paternal care does not grow up and develop. That has been the history of the Canadian Indian.

The Indian philosopher, Rabindranath Tagore, says— "He who builds a wall around his house, is not kind to his house." If it be intended that the Indian people should take their place with the rest of the population, then an Indian Act must be devised which will give increasing responsibility, not only for government, but for all the consequences of the acts of the individual and of the group, and which, while helpful, will not shield any individual from the consequences of his acts or of his failure to act.

In devising any system of education, medical services, social security, and self-government to apply to the Indian people, there should be close approximation to the best that the other Canadians amongst whom they live have devised for themselves; and care should be taken that the system be not so inelastic that new methods and practices which have been adopted by the other Canadians cannot easily be applied to the Indian people.

(b) *Administration:* We hope that in the revision of the Indian Act provision will be made to bring all matters affecting Eskimos and Indians under the administration of one department of government, with a minister of the Crown in charge of the department and the usual official set-up of a Deputy Minister and other officials under him. The present arrangement, whereby Indian affairs are administered as part of a department which looks after Mines, Natural Resources, etc., with another department caring for Indian health, is illogical. There should be a consolidation of responsibility under one minister of the Crown.

We think that the people should know that, on the whole, the Indian department is to-day served by a staff of competent, hardworking officials, who are really interested in the welfare of the native people. We do believe, however, that certain changes, if not in law, yet in regulation and custom, would greatly improve matters.

Inspectors and superior officers generally ought to be selected from the whole service and the choice should not be restricted to any Province or district. The same is true of agents.

Further, no part of the service should be part of the patronage system. If the ways of the Civil Service Commission and its regulations make the filling of a minor position a matter requiring long delays, then other methods should be devised, giving responsibility to the senior officials.

Devolution of responsibility in general administration should be carried out and decisions on routine matters should be made by the man on the ground rather than as at present have to be referred to the officials at Ottawa.

## II. EDUCATION

The interest of the United Church in the education of the Indian people goes back many years. The first Indian residential school in Canada was built by the Methodist Church at Mount Elgin over one hundred years ago, with funds supplied from the Motherland. At Alderville, a training institution was developed about the same time; and it is scarcely necessary to remind this committee that Indian education was the sole concern of the churches long before the government took hold of the matter.

The United Church holds the view that, whilst it has been and still is ready to co-operate with the government, education is the responsibility of the government, and that no church should be asked to expend directly any of its missionary funds on Indian education to make up that which is lacking in the provision which the government makes for this purpose. The churches should not be asked to make available for Indian education funds entrusted to them through the generosity of their members, in order to make amends for the parsimony which has hitherto characterized government grants for the education of the Indian people.

It is the view of the United Church that not only should the government bear the cost of Indian education, but it should make up its mind as to whether there is value in education for the Indian people. One can only doubt whether the government is serious about education when one reads the report on one school building on an Indian reserve, made by an inspector, as follows:—

The condition of the building is very poor. The building is old, built of logs, and lined with V-joint. The lining is warped, buckled and shrunk, and the loss of heat through the walls and ceiling must be very great. The building was cold and most of the younger students were blowing on their hands in an effort to warm them. Snow on rubbers under the stove had not melted by recess. Outside wraps were all worn in school.

Such a condition is, in our judgment, the result of failure on the part—not of the officials of the department,—but of the members of the House of Commons to realize that Indian education is a serious matter and to provide the funds which are necessary.

The United Church believes that the government should provide education facilities for all Indian children between the ages of seven and sixteen. We, and the other churches which co-operate with the government in Indian education, have drawn the attention of the responsible officials to the great discrepancy between the need and the provision made to meet it, and this has been admitted by the director in his evidence, given last year (*Minutes of Proceedings and Evidence*, page 15). We note that on this page, Mr. Hoey says that there are 28,429 Indian children between the ages of seven and sixteen, and that there are approximately 12,000 for whom no education facilities have been provided. He goes on to say that these children reside in the northern section of the provinces, in the Yukon, and in the Northwest Territories. Whilst it is true that the great majority of these Indian children live in that section, yet a careful study would indicate that there is scarcely any part of the dominion in which Indian people live where there are adequate facilities; and included in the area described by Mr. Hoey as the northern sections of the provinces are large groups of people who are coming into closer contact with civilization almost day by day and who need educational facilities.

(a) *Curriculum*: It is the judgment of the United Church that the government should make a study of the type of education to be given to the Indians of Canada. The general policy is to assume that the provincial curriculum



should be carried out. Modifications are allowed, but, even so, there is a grand opportunity to provide for Indian children a modern system, devised with sufficient elasticity to meet all their needs.

We should like to call the attention of the committee to a report made by Dr. Andrew Moore to The Canadian Social Science Research Council on the subject of a curriculum for the people of the Mackenzie district. He is discussing the value of education for the people of the Mackenzie district and the criticisms made by certain residents. Dr. Moore says about the curriculum—

This curriculum should have two main objectives. First, it should include as much of the white man's knowledge and behaviour as will assist them to enjoy a more abundant and efficient life in their own environment. Secondly, it should equip them to cope satisfactorily with the impact of the white man's civilization upon their lives not only at the present moment but also with the long-range objective of gradually enabling them to utilize as much of his civilization as will function satisfactorily in their changing world. It is essential that they become, ultimately, self-respecting and self-supporting Canadian citizens no longer under the tutelage of the government. The fundamental principle cannot be too strongly emphasized that all educational and social-improvement programs in this area must be directed toward re-establishing the native in his own self-esteem and self-sufficiency which will in itself go a long way toward removing that attitude of superiority which some white people display toward him.

The principles here enunciated seem to us to be capable of application to Indian people everywhere, and, indeed, with certain modifications, it would seem that education in general should be such as to enable all who benefit from it to enjoy "a more abundant and efficient life in their own environment;" and also that education should equip all to cope satisfactorily with the problems which they have to meet in their daily living.

(b) *The Church and Education:* The United Church of Canada regards as unsound the principle of the Act, whereby children are segregated according to religion. The provision in the Act is as follows:—

Such school shall be the nearest available school of the kind required, and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

We believe that this principle tends to make the schools less effective,—especially on small reserves, and the application of the rule makes for constant trouble.

It is the considered judgment of the United Church that the time has come seriously to consider the establishment of Indian education on a completely non-sectarian basis, making provision at the same time for the missionaries to be given a limited amount of time each day for religious instruction, on the same basis as this privilege is granted in a number of the provinces. We recognize, however, that changes in matters of such long standing and which touch the religious faith of so large a proportion of our fellow-citizens are not likely to be made in a day; and, in the meantime, the United Church is ready to cooperate with the government in carrying out its educational policy, provided, as has already been stated, that this cooperation will not be at the expense of the missionary funds of any church which does not insist on the maintenance of the status quo.



Specifically, the United Church resents being criticised for failure to provide adequate food and clothing in residential schools, and for not engaging highly qualified staff in sufficient number, when the failure arises from the lack of grant provided by the government and the House of Commons,—which has consistently starved the educational department of the Indian Affairs Branch. We do not insist on retaining our schools as denominational schools, but we are saying that so long as the law makes this necessary, then the government which “calls the tune should pay the piper.”

The United Church would welcome the establishment of a “pilot” residential school by the department to establish costs to be paid to all schools. We are of the opinion that the monetary contributions of the churches throughout the years in maintaining residential schools would then be discovered to have been enormous; and, whilst it is perhaps too much to hope that the country would make adequate returns to the missionary societies for these expenditures, yet the discovery of the hundreds of thousands of dollars that have been paid might place the action of the churches in maintaining these schools in a more favourable light.

(c) *Residential Schools and Day Schools*: Whilst we believe that the day school is the normal method of education for Canadian children generally, and might therefore be the normal method for the education of Indian children, we recognize that educational methods are changing and always must change, and also that the life which the Indians live is not the normal life of the average Canadian. We would therefore suggest that the needs of Indian children in the various sections of Canada be studied by competent educationists, with a view to determining the type of education best fitted to meet these, and that any new school built be of the type—day or residential—best fitted to meet the situation.

With regard to existing schools—particularly residential schools,—the same study should be carried out, so that renewals and replacements may be made with a view to meeting the needs of the people to be served rather than the protection of seemingly vested interests.

We believe that in the establishment of any new residential schools, either to replace those which have been destroyed by fire or in the development of future policy, more study should be given to determine how a residential school can provide the home atmosphere which is essential to the normal development of a child rather than with the idea of building up a large institution. We believe that such a study might indicate: (1) that, instead of having large dormitories, such as existing schools possess, there should be a cottage system; and (2) that these schools might be established in proximity to centres where the children could be housed together but receive their education in the ordinary schools of the communities.

This would necessitate compensation from the federal government to the local school board, which should not be beyond the possibility of working out.

We urge very strongly that immediate steps be taken to provide education beyond what is at present given in either day schools or residential schools. We recognize that in some places provision has been made for pupils to attend secondary schools, but, in general, comparatively few Indian children go beyond grade VIII.

We do not approve of the suggestion of setting up residential schools designed to provide secondary or vocational education, thus continuing the segregation of Indian pupils from other members of the community. We believe that the need for the higher education of Indian people is very great but we think that children should obtain this, as far as possible, in schools where they will come in contact with children of other races.

This will present many problems and bring many heartaches, but we believe that only in this way can we come to understand one another. Our faith in the capabilities and possibilities of Indian children is such that we think that free intercourse in educational institutions will eventually prove their capacities to themselves.

We would suggest that rather than building separate residential schools for secondary and vocational education, hostels might be established in certain towns and cities, to which Indian children might be sent, and we believe that the churches could render a useful service and make a worthwhile contribution if they would agree to provide the persons who would supervise such establishments for the government. It might be that as a step towards a better system of education the churches would be willing to cooperate among themselves, so that as a beginning it would only be necessary to have two sets of these hostels—one Catholic and one non-Catholic.

(d) *Day Schools:* Whilst the United Church does not believe that, for the present at least, only one type of school can meet the educational needs of the Indian people, yet we would urge on the government the extension and improvement of the day school system.

1. The buildings should be modernized as speedily as possible. Some of the new buildings which have been erected by the department in recent years are models of their kind; but far too many of the day schools on Indian reserves lag behind the rural public school buildings of the provinces and are really no credit to the department.

2. The United Church thinks that the time has come for the department to study the possibility of co-operating with the provinces so that some way may be found of teachers being allowed to maintain their pension standing with the provincial educational system whilst they teach in the Indian schools. We recognize that this is a very difficult problem, and we commend the department for the proposal to set up its own pension system for teachers; but, at the same time, with the limited number of schools which the department operates, we believe that it will be very difficult to get the best teachers under this system; and, further, that it would be greatly to the advantage of teachers in Indian schools if they could have a period of teaching in the ordinary schools of the provinces from time to time. There should be free interchange of teachers rather than segregation as at present.

### III. HEALTH

The United Church would like to take the opportunity of saying that the extension of services by the department, looking towards the better hospitalization of Indians and the eradication of tuberculosis is greatly appreciated, and we would earnestly hope that this policy will be extended.

The fact is that the development of health services for the generality of the population of Canada is becoming a recognized function of government rather than being left to private enterprise, and it should be a matter of satisfaction that the Indians were the first to receive this service.

The United Church hopes that when such institutions, i.e., hospitals and sanatoria, are built they will be operated by the department without any question of denominational affiliation. Our request is—

1. That the department build and equip as speedily as possible hospitals and sanatoria in all parts of Canada where such are needed for the adequate care of Indian patients.

2. That it staff these institutions with the best possible staff, chosen without regard to their religious affiliations and solely on the basis of professional capacity.
3. That it continue the policy whereby free access is allowed to representatives of all religious denominations to visit the patients of their respective communions, thus bringing the help of spiritual agencies to the healing of body and mind.

May we point out that leaving this matter to the churches leads to unnecessary duplication. We should like to call the attention of the committee to a report made by Dr. G. J. Wherrett to The Canadian Social Science Research Council, and particularly to the part of his report dealing with hospital services. We would quote from this report as follows:

One is amazed at the number of hospital beds which are to be found in the Mackenzie River area and appalled at what little use is made of them. In the Yukon and Northwest Territories, the ratio of hospital beds per 1,000 population (30.1) is four times that of British Columbia, which has the highest hospital bed complement of all the provinces. But in the Territories there are, on the average, at least 150 beds, or two-thirds of the total, unoccupied every day of the year. When these hospitals were visited, they were practically empty. As an example, at Aklavik, where the two mission hospitals provide seventy-five beds, there were only five patients under treatment. It is true that it was the period of the year when the hospitals have the fewest number of patients, but a study of the records show that only on rare occasions, such as the influenza epidemic of last year, are the beds at anything like full occupancy. One feels that there has been a lack of overall planning in the construction of these hospitals, and certainly duplication in the case of Aklavik. On the other hand, the writer feels that the missions have been sincere in their efforts to bring hospital services to the people, and the department has been singularly lacking in providing leadership and advice in location, construction, services rendered, and equipment.

The duplication to which Dr. Wherrett refers arises from the fact that hospitals are in some cases considered as part of the missionary efforts of the church, and one church cannot afford to allow another to get ahead of it in this matter. The only solution to this is the setting up of department hospitals with the right of the churches to visit the patients in them. We would associate ourselves wholeheartedly with the section of the brief submitted by the Church of England in this regard.

#### IV. SOCIAL SERVICES

The United Church is of the opinion that there is no reason why the Indian people should not participate in any old age pension scheme set up by the Dominion government; and is of the opinion that, in the administration of the scheme, the same conditions should apply as in respect to the old age pension scheme generally, with such modifications as may be necessary to meet the difference in status of the Indian people—that is to say, without provincial contributions.

#### V. CITIZENSHIP

The attention of the committee has already been drawn to certain phases of the reserve system and the part which it plays in retarding the progress of the Indian people. The United Church believes in principle that the rights and responsibilities of citizenship should be extended to the Indian people—especially



to those who have manifested a desire for the same and who are obviously ready for full participation in the rights and responsibilities of citizenship.

We further request the government to give special attention to the possibility of enfranchising, not only individuals, but whole bands, where the general progress indicates that the people are ready for it, and where the majority of the people express a desire for enfranchisement. As a step towards this we would recommend that the rights of self-government on the reserves and the duties devolving upon the council be extended until the members of a band, through their council, operate in general along the same lines as the council of a rural municipality.

Finally, the United Church would again express its appreciation of the services which the officers of the department try to render to the Indian people. Frequent contacts with the officers in Ottawa and with the members of the department on the reserves leave the impression of a group of people who are sincerely trying to serve those committed to their care, and we think that the people of Canada as a whole should know of the service which the officers of the Indian department are rendering.

We would also place on record our appreciation of the courtesy with which the ministers who have been in charge of the Department of Indian Affairs from time to time have received the representations of the churches, even though they have not always been granted sufficient funds to meet what we considered to be the reasonable demands which have been made.

All of which is respectfully submitted.

Mr. GARIEPY: In connection with the school building which was very poor, I would ask which school that was.

The WITNESS: It is one of the northern Manitoba schools.

*By the Chairman:*

Q. Well thank you very much Dr. Dorey. Now are there any other briefs to be presented by your delegation?—A. No, sir.

Q. Now we adopt the policy in the committee of hearing the briefs and then permitting questions to be submitted to the witness. If it is your pleasure, now, gentlemen, we will have a period of questioning by the members of the committee. Can we, on the first round, limit ourselves to say ten minutes as has been our custom. Since we went counter-clockwise the last time I think we should go clockwise this time.

Mr. MacNICOL: Are there to be any more witnesses?

The WITNESS: No.

The CHAIRMAN: Dr. Dorey did introduce Dr. Smith to us while he was reading the brief and I presume he and Dr. Woodside will be able to answer any questions.

The WITNESS: Yes, they will be able to speak for themselves.

The CHAIRMAN: Well, you will be first Mr. Castleden.

*By Mr. Castleden:*

Q. I have a few questions. With regard to secondary education, how many of the pupils who go through your schools, take work in grade IX? I mean what is the percentage? Have you the figures for the United Church schools?—A. I could not answer that. The department could probably give the figures.

Q. They have lumped the figures together for the various residential and day schools but I wondered if you had the figures for your own church organization?—A. No.

Q. With respect to the matter of inspection, how are your schools inspected?—A. It all depends on the province.

Q. Are they inspected by the provincial inspectors?—A. Not in British Columbia. In British Columbia the inspection is by the department inspector and in the other provinces it is by the provincial inspector.

Q. What happens to the inspector's reports? Are they received by the principals of the schools to be acted upon or are they sent to the department, in which case you do not see them at all?—A. I understand all reports go to the department and are considered then as public documents.

Q. Considered public documents?—A. I understand all reports of the inspectors and of auditors go to the department and are public documents and are not available for circulation.

Q. They would be government documents then and not available?—A. Well I do not know the difference.

Q. Perhaps Mr. Hoey could explain that.

Mr. HOEY: They are official documents.

Mr. CASTLEDEN: Official documents?

Mr. HOEY: Yes, and they are made public only by a motion of a member of the House and the motion is debatable. That has always been the situation with respect to government documents.

Mr. CASTLEDEN: Does the teacher in the school not have a copy of the report?

Mr. HOEY: No. What really happens is the school inspector reports to the department and excerpts are extracted from the reports relating to the work of the teacher and sent either to the Indian agent or to the teacher or both. Very frequently, as Dr. Dorey knows, they are sent to him drawing his attention to good work or poor work as the case may be.

*By Mr. Castleden:*

Q. Now with regard to secondary education, how are pupils chosen? How do they select which pupils shall go on to high school work?—A. In the residential schools pupils who are recommended go on just the same as in the ordinary schools and when they get beyond the grade which is taught in that school a request is made to the department to send them to a secondary school, as is the case in Brandon. The department cooperates very readily and very quickly.

Q. How are the expenses paid at the higher schools?—A. By the department.

Q. On what basis?—A. I understand the department pays the same per capita rate as when they are living in the school, which makes it possible for them to meet whatever expenses are needed outside.

Q. Some of the Indians have complained to us that they have difficulty in getting students through. First of all I believe there has to be a recommendation from the Indian agent on that particular reserve. Have you been able to provide facilities for all students who desire to take higher education?—A. We have never been refused by the department the necessary help for pupils who have been recommended by the principal for further study.

Q. Students who have been recommended by the principal in what schools?—A. Residential schools.

Q. But what about day schools?—A. Day schools are really government schools and we have very little to do with them.

Q. Students coming from day schools might want to have high school training in a residential school?—A. That is not the concern of the church, that does not come under our purview.

Q. Those students from day schools might not have the opportunity of taking high school?—A. They all go through the agent and the request would not come to us, as a church, except that the missionary might say "There is a child on that reserve going to day school who might be a good subject for

further education", and we would take it up with the department and give them the names, and I must say that we have always had cooperation from the department.

Q. With regard to staffing your high school, do you have a salary scale and a superannuation scheme?—A. Our salary scale is limited by the amount of money which the government gives us as a per capita grant. If the total amount necessary to operate a residential school is not sufficient through the per capita grant and whatever comes from the fund, then we have to make up the difference. That is our objection and that is why we say the government ought to assume full responsibility.

Q. You say you are not able to carry on and provide the facilities that you would like to have because you need more money?—A. We cannot provide them.

Q. That is the point I wanted to bring out.—A. May I say, Mr. Chairman, the four churches which have cooperated with the department in the operation of residential schools, have again and again pointed out their difficulties to the minister and I find in the appendix to the brief submitted by the Church of England, that our joint representations are shown there.

Q. Now with regard to hospitals, do you operate any hospitals at all as a church?—A. Yes we do.

Q. How many and where are they?—A. We operate four hospitals in British Columbia mainly for Indian people.

Q. And you are of the opinion hospitalization should be made non-denominational?—A. That is our opinion, yes.

Q. I agree with that. And how about Aklavik, have you any in the Northwest Territories?—A. No, the work in the Northwest Territories and the Mackenzie district, as far as the Protestant churches are concerned, is solely in the hands of the Church of England.

The CHAIRMAN: Now, Mr. MacNicol it is your turn. I might say that it is 11.50, just so there will be no question, about time.

*By Mr. MacNicol:*

Q. Mr. Dorey, on page 3 you make the statement "No church should be asked to expend directly any of its missionary funds on Indian education to make up that which is lacking". Are funds collected for education as well as missionary work?—A. Not as far as we are concerned. It is all part of the missionary funds of the church. The church raises a certain amount of money for its general interests, outside of the local congregation, and we allot a certain amount for these different things. As a member of the home missions, when we come to our residential schools, we have, in some cases, to make fairly substantial grants because of the limited scale on which they are operating. The per capita grant is not enough and the churches together have conferred on the matter and we have discovered that what is true of our church is also true of the other churches.

Q. Well if the government takes over the whole cost of education, on what would the church expend the money?—A. On missionary work and social work on the reserve. We could find plenty of use for the money. I might say, for example, if the chairman will permit me, that we have spent nearly \$5,000 at the Morley school. That school is not in an area where there is a productive farm and if the government paid the whole cost of education, as we think it should, then we would have \$5,000 to provide social services for example. A social worker could be obtained and various other kinds of work could be done.

Q. You made reference to the condition of the Indian school houses?—A. Yes.

Q. I have quite a good idea what you mean. Would you favour the government setting up plans for a standard school and sending out prefabricated schools



for the use of the various reserves?—A. I do not know, Mr. Chairman, that such action would be feasible because reserves differ in size and location and the type of work that should be done. For example, the department is making an experiment with the Muncies on the Caradoc agency. Those Indians live in a certain environment in Ontario and their education should be of a certain type. On the other hand, let us say, the Indians at Oxford House or Cross Lake may require a different type of school and a different type of education. If Mr. MacNicol means the standard pattern for an ordinary one-room day school that might be possible.

Q. That is what I had in mind. On page 4 you made the observation "the government should provide education for all Indian children between the ages of 7 and 16". Beyond 16 what happens?—A. Well we have gone on to say that as far as higher education is concerned they should be beyond that. We would favour continued education up to eighteen and beyond that, if the Indian child shows the capacity. However, seven to sixteen is the age which the department is following, in line with the pattern of the general provincial requirements which say that a child should attend elementary school.

Q. In the schools under the direction of your church on Walpole Island and at Moraviantown and at Muncie, the teachers have done an excellent job according to my observation. They pass many children through those schools to high schools. Do your children go on in the other reserves?—A. I understand that some of them do.

Q. And make good too?—A. Certainly. There is no difference in the intellectual equipment of a child just because he happens to be born with a certain pigmentation in his skin. That is my observation and I have visited most of the Indian reserves on which we operate. I have not visited some of the far northern ones but I have been in close touch with this Indian work for ten years.

Q. Do any children from your school at Norway House go away for higher education?—A. A few of them go to Brandon, but not very many.

Q. And from Brandon what do they do?—A. There are always a few from Brandon that go to high school or to the Brandon Collegiate Institute.

Q. Do they pass from there to teachers or do they enter the professions?—A. We have had one or two teachers. One teacher, Ewart Monias came from one of those northern reserves. I am not sure whether it was Norway House but he returned to teach at Nelson House.

Q. Is the school at Fort a la Conne under your jurisdiction?—A. No, I think it is the Church of England.

Q. It does good work no matter what church it is under. I have only a couple more questions Mr. Chairman, and I will finish on time.

The CHAIRMAN: Did you say you were through?

*By Mr. MacNicol:*

Q. No, I have one or two more questions. You are fairly emphatic that day schools should be under non-sectarian control?—A. That is the opinion we hold.

Q. And you think that clergymen of any other denomination should be permitted to enter those schools to teach their religious exercises after the day school has been closed or during school hours?—A. I understand in some of the provinces, I am not as clear on this as I should be, but I understand that it is part of the school day. In Ontario the Department of Education and the school boards allow clergymen representing different denominations to give a certain amount of religious instructions in the schools.

Q. In the room in which the members of that congregation go?—A. No, they arrange it cooperatively in a number of cases.

Q. Protestants and Roman Catholics together?—A. Well in Ontario you have a system of separate schools.

Q. Oh yes. Now with respect to your last observation I quite agree with you. Hospitals should be under the direction of the department entirely and here again you say, according to your report, that all churches should be allowed to send their church representatives into the hospitals to visit their own people.—A. I would go further than that. I would say, Mr. Chairman, it might have to be arranged that the department would pay the services of a chaplain where there was a fairly large hospital.

Q. You would not think that the chaplain would refuse the salary?—A. I beg pardon?

Q. You do not think the chaplain would refuse the salary?—A. I understand the question now and I do not think so, Mr. Chairman.

*By Mr. Charlton:*

Q. Have you any idea of the excess over the amount of the government grant you pay out on education in residential schools?—A. No, but I think the brief of the Church of England would give you an idea of what it cost that church. They are in a better position, probably, to answer that question than others because they have a central administration; and you will note in their brief that they have an overdraft of a very considerable amount. That is what it cost them over and above the grant. And that is to operate a residential school on a rather mediocre basis, and no provision is made for the superannuation or retirement or pension of the principal or anyone else.

Q. You have not any idea just what you would consider the grant should be to fully pay for the operation of these schools?—A. No, Mr. Chairman, that is why we have suggested in the brief that the department should set up a "pilot" school to find out how much it really does cost.

Q. Now, you have stated that there should not be any addition to the residential schools. In other words, you have intimated that rather than have residential schools, cottages should be built, for instance, for the children to live in when they attend schools in the larger centres?—A. No, the brief means this, that where a new residential school is going to be built, either replaced or in the extension of the system, that there should be a new system, a cottage system, rather than a big dormitory system. I do not see how you can take any existing residential school and make the change over night.

Q. I did not mean that. You say in the brief: "(1) That, instead of having large dormitories, such as existing schools possess, there should be a cottage system."—A. Yes.

Q. "(2) That these schools might be established in proximity to centres where the children could be housed together but receive their education in the ordinary schools of the communities."—A. Yes.

Q. Now, the question I want to ask you is this: Where there are existing residential schools would you be averse to changing them to vocational schools, where the residential school was thought to be no longer of any value?—A. We would have no objection; and we question the advisability of segregating Indian pupils any longer than is absolutely necessary.

Q. I quite agree with that. It would appear, however, with those schools that are there now that probably some good use could be made of them; and you would not be averse to using them partly for Indian vocational training, for instance?—A. No, not if that was the best thing that could be done with the schools and the best thing that could be done for the Indians. We will do everything we can to help the Indian children.

Q. I thoroughly agree with the second part—to let children go to the community schools. Now, with regard to enfranchisement, I see in another part of your brief you mention enfranchisement of all bands.—A. Yes.



Q. After a vote, of course?—A. Yes.

Q. Do you think that would be in the best interest of the Indians? What percentage or majority would you consider necessary in that case?—A. Well, I think that is a matter that would have to be considered by the bands who have made application. I would say that one of the main difficulties to enfranchisement is this: one individual or two individuals or 50 per cent of the band might want to be enfranchised as individuals, and they would go out and take with them their share of the band funds and then leave the land there as well, and there is always a reluctance to break up a band. My experience with the Indians is that they have a considerable feeling of solidarity. If you enfranchise them as a band all you would be doing would be saying that this is a township that is now ready to assume its place in the body politic. Some of the reservations are so small that they would not constitute a township.

Q. You would take that out of the hands of the government altogether? Now, would they be subject to land taxation according to that municipality, whatever they want to charge their land holders?—A. Why should they not be? They become part of the general body politic of that province. There might be an intermediate step; but ultimately that is what is going to happen.

Q. And the trust fund now would be turned over to them to be used as they wish?—A. I presume so. My judgment is that is the only way they will learn how to use their money; that they cannot learn how to use their money as long as father keeps hold of them.

Q. Some people are against that system; some of the Indians?—A. I would not force it on the Indians who did not want it.

Q. That is all.

*By Hon. Mr. Blais:*

Q. In your quotation from the report of Dr. Wherrett to the Canadian Social Science Research Council you said that this gentleman was absolutely surprised to find that all the hospitals which have been built along the Mackenzie River were almost empty when he visited them. Do you not think that the fact that these hospitals were empty was due more to the rigidity of the law of the service than otherwise?—A. I have read the report which Dr. Wherrett made. I assume that Dr. Wherrett is a competent observer of matters having to do with hospitalization and medical services. I would not like to say that the reason why the hospitals were empty was due to rigidity. I think that what Dr. Wherrett is pointing out is that where there are two hospitals in one place where one might do, if we had a departmental scheme there would be only one hospital in that place. I think that is all Dr. Wherrett's opinion can cover. To express my feeling, I think it might be well for the committee to discover what Dr. Wherrett himself thinks.

Q. In your residential schools do you receive pupils from all denominations?—A. No, sir, we are not allowed to.

Q. Do you teach your pupils religion in your school?—A. Yes.

*By Mr. Harkness:*

Q. Your brief is very good, clear and concise, and I would like to compliment you on it. As a result of that I have not many questions to ask you. I would take it from what you say with regard to general considerations of administration that you would advocate the removal of the permit system under which an Indian has to have a permit to dispose of his live stock or anything else he produces; is that correct?—A. Well, it would depend upon cases. I understand that at the present time that applies only to western Canada anyway.

Q. Your general attitude would be, however, that those restrictions should be removed as fast as conditions warrant it?—A. Yes.



Q. On page 4 under "Curriculum" you say: "The general policy is to assume that the provincial curriculum should be carried out," and so on. Now, do I take it from this that you would favour a curriculum to apply to the Indians across Canada rather than to have them continue to follow the provincial curriculum?—A. I would not suggest that they should have a dominion curriculum to replace the provincial curriculum, but I think there should be zones of administration of Indian matters and that in a certain area the type of curriculum would be, for example, the curriculum to suit the Indians, say, in northern Manitoba. The curriculum of the northern Indians, for example, would not be the same type of curriculum which would be used in the southwestern Ontario agencies. I think there would have to be a number of curricula.

Q. I agree with you. What I was trying to get at was: Do you think it is an advantage to follow the provincial curriculum as far as possible?—A. If it were modified very considerably. The provincial curriculum of Manitoba, as an illustration, is designed to meet the needs of the farming population and of the great city of Winnipeg. How you can reconcile the two, I do not know. I leave it to them. It is obvious it would not fit the needs of the northern Manitoba Indians. You can take the very basic subjects and apply them in both cases.

Q. We have had evidence presented here advocating that there should be a curriculum for Indians, you might say, across Canada with local modifications. I wonder if you would agree with that or whether you would think it better to follow the provincial curriculum as far as possible in order to make it easier for pupils who go on to secondary schools to fit into that system?—A. I certainly feel that the provincial curriculum, with all its weaknesses, is better than a dominion curriculum.

Q. On page 5, in regard to segregation according to religions, you say: "We believe that this principle tends to make the schools less effective, especially on small reserves, and the application of the rule makes for constant trouble." Can you elaborate on that a little? How does that come about? What is back of that statement?—A. Well, the difficulty is precisely in the definition of the term. It says: "No Protestant child shall be assigned to a Roman Catholic school." What is a Protestant child? We run into that difficulty, and their is always the question of people who think there is a certain advantage to be gained by shifting from one school to another. I do not think it is confined to either group, or that the change is a one-way street. There are constant difficulties of administration. I think that anybody who has to do with the administration of these regulations will give you many instances. As I understand it, a Protestant child or a Roman Catholic child is being defined as a child whose father is of that particular religion or whose guardian desires the child to be educated in that faith. Now, sometimes the father is not particularly interested and the mother takes a definite stand. That has happened.

Q. Do you think there is anything in the viewpoint put up to us by some Indians that a certain number of them actually still believe to a large extent in their own native religion and that they are denied freedom of religion in that regard to the education of their children they have to profess either Roman Catholicism or be members of the Church of England, the Presbyterian Church, depending upon what church happens to have a school available for their children to go to?—A. I think the best illustration of that will be found in the Six Nations reserves in Ontario. Probably these is a larger proportion of the Six Nations Indians who identify themselves as of aboriginal beliefs than on any other large reserve in Canada. I do not think there is very much difficulty there. I think the aboriginal peoples of the Six Nations, who belong to the Long House, as they call it—I do not know how far it is aboriginal, and I am not as sure as some people are about how much it is a belief.

*By the Chairman:*

Q. How much does it differ from Christianity?—A. I am not sure about that either. I do not think there is very much difficulty. I think this is something that has been conjured up. That is my belief.

*By Mr. Harkness:*

Q. You do not attach much importance to that?—A. Frankly, I do not.

Q. At the bottom of page 6 and the beginning of page 7 you say: "With regard to existing schools—particularly residential schools—the same study should be carried out, so that renewals and replacements may be made with a view to meeting the needs of the people to be served rather than the protection of seemingly vested interests." What do you mean by that?—A. I mean that if a school is destroyed or replacement or extension takes place, we all come to the place, Mr. Chairman, where we think that the school that we represent is the school that should be replaced, and it might be that there might be a change. I think the primary thing to remember is the needs of the Indian people; and anything that seems to be long standing might be disregarded.

Q. What you mean is that in building schools and making replacements of existing schools we should keep in mind the point of view of best serving the needs of the Indian people rather than protecting the needs of any particular church or the interests of any particular church?—A. Yes. I think there are cases where a church might very well be asked to make a change and to say, "We are quite prepared to allow this school to be used for some other purposes."

Q. In a case of that kind where a church owned the school, would you expect the church to be reimbursed by the dominion government for the money it put into that school? I think you would.—A. As far as we are concerned, we have no church-owned schools. We have sold them all to the dominion government.

The CHAIRMAN: You got good money out of them?

The WITNESS: Well, I do not know. It was long before my time.

*By Mr. Harkness:*

Q. What proportion of the teachers in the schools you operate are qualified teachers in that they have normal school training and so forth.—A. I could not say, Mr. Chairman, because the thing varies from time to time. We try, as a policy, in operating residential schools to have only normal school trained teachers; but I think every member of the committee knows that there are actually in Canada at the present time, in the ordinary public schools, thousands of teachers who are teaching on permits. I do not think my figure is too high. We have to do the best we can. But actually we are getting applications at the present time from teachers duly qualified for teaching positions in residential schools.

Q. Would you have any idea of whether half your teachers are qualified?—A. More.

Q. Three-quarters?—A. I would say that in our residential schools we can show very many—about 75 per cent—who would be fully qualified teachers.

Q. Now with regard to the difficulties in financing which you mentioned, I know something about that as far as that matter is concerned. Mr. Staley did an excellent job, but he was always under a terrific handicap to go out and raise funds from whatever source he could get funds. Is that a sort of general thing?—A. Mr. Staley never raised any money.

Q. My understanding was that he did; that he would be short several thousand dollars and he would at times have to go out to visit various people in Calgary and so forth to secure sufficient funds to meet expenses.—A. Well, Mr. Chairman, I would like to say to Colonel Harkness that that is the first I have

ever heard of that. It may be that Mr. Staley was referring to the fact that the principal of the school had to spend a good deal of time operating a farm so that he could make money.

Q. In that particular case there was no farm.—A. Well, he operated a mink ranch, and he fattened some hogs; I think that is what Mr. Staley had in mind—the amount of time it took him to do those things.

Q. I may say that Mr. Staley did not tell me this, but various other people told me about it and deplored the fact at different times.

*By Mr. Raymond:*

Q. At the bottom of page 3 you state: "One can only doubt whether the government is serious about education when one reads the report on one school building on an Indian reserve made by an inspector . . ." and so on. Do you refer to a day school or a residential school?—A. A day school.

Q. I wonder if there are many buildings of that kind that you have found?—A. I would be sorry to venture an answer. Well, I will put it this way: there are far too many, and some of the residential schools are far from what they ought to be.

Q. Now, Mr. Dorey, would you care to make any comments concerning liquor in so far as the Indians are concerned?—A. Well, I just make this comment that the Indians are human beings like anyone else and subject to the same temptations—probably a little more so. I have read in the newspaper what the representatives of our sister church said to you on Tuesday, and I think it was Father McKay who feels that the Indians should still be kept under pretty strict regulation—and I rather agree with him. But this is a matter of opinion. I think liquor is a very bad thing for anybody. Certainly it is particularly harmful to the Indian people who are in many cases still not far removed from the primitive. However, I would not like to make any comment except to say this, that I do not think much weight should be given to enfranchising the Indian and removing the restrictions just to see that he can have a drink. I do not think that that is very high ground for removing any limitations.

Q. Thank you.

*By Mr. Farquhar:*

Q. On page 2, Dr. Dorey, you refer to the administration arrangement whereby Indian affairs administered as part of a larger department. Just what is your main objection to having the health of the Indians administered by the Department of Health?—A. I think, sir, that that is one of the worst things that ever happened to the Indian Affairs Branch. I cannot understand why in a day when the whole tendency is to get things more or less streamlined we should go back to dividing things up. Anybody who knows anything about Indian administration knows that the Indian agent is the father and mother of the community. Now, he is employed by a certain department of the government. Then, along with that you have medical services, and presumably, according to the set-up, there would be nobody to centralize expenditures and that sort of thing—the general administration. Personally, and I think I speak for the church in this matter, and as far as I can gather all the churches are in agreement on this—it is one thing on which we are in agreement, and there are many others too—we may not agree on the services—but I can say we believe there should be a department of the government with the final set-up, with a deputy minister and so on, dealing entirely with everything that has to do with Indians so long as we are going to have Indians. If it is decided that all the Indians are to be enfranchised, of course that question does not arise; but I do not think any government is going to pass that kind of legislation. Therefore, in the meantime we think everything should be under one department. What department it is does not particularly concern us.



Q. We are very glad to have your comment on this because many of us feel the same way about it.—A. May I ask, Mr. Chairman, if I may enlarge on this?

The CHAIRMAN: Certainly.

The WITNESS: I think the time has come for Indian administration to have a certain number of commissioners appointed for certain regions. There was a time, as members of the committee may know, and some of us who are older will remember, that Indian Affairs, concerning Indians on the prairies, were in the hands of a commissioner who had under him a certain number of inspectors, and he had a certain authority. That system seemed to work very well. The present administration in British Columbia under Commissioner MacKay seems to be almost ideal; maybe because, if I may say, you have an almost ideal man to manage Indian work in that province. But if you are going to have that system you must give the man some authority.

Now, there is another thing I wish to refer to in regard to Indian administration, and this is based on experience: some way should be found whereby the commissioner and the senior officers should be relieved of a lot of routine so that they can travel around and see their constituents. I think, for example, that Major Mackay could do even a better job than he is doing—I hope he will pardon me for saying so—if he had more time to visit his agents and become acquainted with the local problems. He cannot do that with the kind of routine administration which he has to look after, and because of the fact that expenditures for travel are not looked on with too much favour because there is only a certain amount of money available. That is my feeling.

Q. On page 3 of the brief I see these words: "Devolution of responsibility in general administration should be carried out and decisions on routine matters should be made by the man on the ground rather than as at present have to be referred to the officials at Ottawa."

Q. Do you refer there to the Indian agent or to the band or band council?—

A. To the Indian agent, on matters of general administration. I think, sir, you ought to ask the officers here in Ottawa how many small matters having to do with minor details in the field have to be referred to them for an O.K.

Q. Some of the recommendations made to this committee have been that the Indian agent on the ground has too much responsibility and some of that responsibility should be placed on the band or on the band council. Would you give us your views on that?—A. I think as an intermediate step the agent might very well be a sort of reeve and the council and he should get together. At the present time the council has not a great deal of authority. I think it should have more authority with co-operation of the agent. Now, if you are going to do that you have to get the type of Indian agent appointed who is likely to make a success of it. I would like to say to this committee that I have been meeting Indian agents since I was first in the country, and that is a long time. Certainly I have met, in the last ten years, a great number of agents. They are, on the whole, good men. The old type of agent who is reported to have done certain things has pretty well passed. Your agents are now decent and responsible people but the agent happens to consider himself a representative of a policy and a system which will not allow the Indians to have very much responsibility. When we get a certain type of man attracted to the Indian service, who is, we will say, a university graduate, who has had some experience in affairs, then I think you will get a much better result. The possibility will then be that the Indians and the agent will learn to co-operate together even better than they do now.

The CHAIRMAN: Mr. Farquhar, I wonder if you would permit me to interrupt at this time. There are many members of the committee that have to attend another function which is at 12.30. They must be there then, and since we have made such good progress this morning I wonder if you would agree to come back at 4.00 o'clock? Would that be agreeable, Doctor Dorey?

The WITNESS: Well, Mr. Chairman, I suppose it will have to be all right.

The CHAIRMAN: I would not like to put it on that basis.

Mr. HARKNESS: I think we would be better off to complete the hearing this morning, there may be just a couple more members who wish to ask questions.

The CHAIRMAN: I was thinking that other members of the committee might have questions of the other witnesses.

Mr. FARQUHAR: As far as I am concerned I will be very brief.

The CHAIRMAN: There are others, and I am just wondering what the members of the committee think.

Mr. CASTLEDEN: Two of the members have already gone.

Mr. FARQUHAR: Well, possibly those who have gone have already asked their questions.

The CHAIRMAN: It is up to the committee.

Mr. FARQUHAR: I think we should try to continue.

Mr. Matthews, vice-chairman, took the chair.

*By Mr. Farquhar:*

Q. The only other question I was going to speak on and it has already been asked and answered fairly well, is in connection with citizenship. Do you find that there are any very general requests for enfranchisement among the Indians? Our experience here has been that there has been very little request for enfranchisement and that most of the Indians wish to retain all their treaty rights and remain wards of the government and I was just wondering if you had found any very widespread requests for Indian enfranchisement?—A. It would depend on what you meant by enfranchisement. If you mean enfranchisement as set out under the Indian Act whereby an Indian cuts himself away and becomes a white man, losing his rights on the reserve and everything else, I would say the demand is not widespread. If the demand is in the sense that an Indian should have certain privileges whilst retaining certain rights on the reserve I think the demand is widespread. I think generally our British Columbia Indians on the coast favour it far more than where they are on well-established reserves with fairly large agriculture holdings. I think in general the Indians want to have the right to vote but they do not want to give up certain of their rights. When we talk of enfranchisement we are thinking about what the Indian Act contemplates.

Q. I think that is all, Mr. Chairman.

The VICE-CHAIRMAN: You are next, Mr. Richard.

*By Mr. Richard:*

Q. You mentioned four churches, engaged in this work and I do not know which the fourth church was?—A. The Presbyterian church.

Q. The continuing Presbyterian church?—A. Yes.

Q. In the matter of cottages or the cottage system that you have suggested, do I take it that would mean in connection with the future construction of residential schools?—A. Yes, sir.

Q. Where pupils are attending residential schools or community schools you suggest the cottage system. What advantage would that have over the system now in vogue?—A. It approximates more closely the family life.

Q. It would be quite costly to organize.—A. Yes.

Q. We would really have to have someone in charge of every cottage to represent authority?—A. Yes, you would have to have a house mother in every cottage.

Q. That would be very difficult.—A. It is a system that they follow in the United States on a reserve not far from Buffalo, the Cataragaus reserve.

Q. The only advantage you would say there is that it would be more home-like?—A. Yes. It is also in vogue in some other institutions, for example, there is a school up near here at Shawbridge, Quebec.

Q. I would say that would probably be practical in the case of older students but not with the younger ones.—A. They seem to have no difficulty at the Cataragaus school.

Q. In so far as non-sectarian schools or hospitals are concerned, where you have Indians on a certain reserve almost wholly of one denomination would you advocate non-sectarian schools in such cases?—A. Well I think I would.

Q. What advantage would that give you?—A. I think the advantage would be that you cannot have one system in one part of the country and another system in another. You cannot have denominational schools on one reserve and non-denominational schools on another.

Q. Well if you have a reserve where they all belong to one denomination and one church and the great majority of the parents wish to have a denominational school, do you not think their wish should be followed?—A. That might be, and I think it would probably work out as it has done in the public school systems in places where you have a whole bloc population. It tends, even in the non-denominational public school systems, to become pretty well what the people want.

Q. But even so, supposing you had a small percentage of people on that reserve not belonging to the particular church in the majority, their interest could be very well looked after could it not? No religion should be forced on people which they do not want.—A. No, and when we are discussing that it comes to a fundamental difference in philosophy.

Q. You pointed out or you gave us one reason for having non-sectarian schools because it would probably avoid certain friction that might come in cases where there is a difference of opinion between the parents whether a child should go to a Catholic school or a Protestant school. There may be friction there but to erase that difficulty you are over-ruling sometimes the desires of ninety per cent of the parents who wish to have a certain sectarian school there. It would be quite a sacrifice for them to make just to please those who have a little friction between themselves about where their child should go. Would it not be quite a sacrifice to people in certain areas to say "we cannot have a sectarian school because there is a certain percentage of us who cannot decide which school their children should attend".—A. I can see the point and I am quite prepared to admit it would have to be carefully looked at. Still, I think, on the whole, that education would not suffer if proper provision were made for religious instruction according to the desires of the majority of the people.

Q. Yes, if the parents feel that there is sufficient cause but sometimes they may not feel that way. My point is this. I think so far as religious instruction is concerned that their wishes should be respected very much and not be disregarded by the state who would say "This is best for your child". I think it is a continuation of the instruction they get at home as far as religious instruction in school is concerned.—A. Yes.

Q. This is quite a surprise to me and probably it will be to some of the members of the committee, to learn that some sections are over-hospitalized, if I may use the word. I would say I did not think that was true. I thought we had a lack of hospitals throughout every part of the country and I think we should probably look further into this and see why there is over-hospitalization in that particular section and it might be the fact that there is no one sick in that particular hospital or that they could not reach it.—A. The point I was trying to illustrate is so long as you have denominational hospitals the medical needs may not always be of paramount consideration.



Q. Well do you not think the churches, in that section, one, two, three, or four, as the case may be, should study the matter themselves? They are not going to launch into an expenditure which is not warranted just because another denomination is there?—A. Unfortunately our experience is that human nature operates even amongst representatives of the churches and sometimes they will do unwise things.

Q. I quite understand that. It would be all right if the church had so much funds and they were in every field and still had a surplus to set out in any territory where there was need but I would say that is not correct because there are so many fields where they should be. I do not see why they should be in a place where they are not needed now.—A. Dr. Wherrett is talking of what he saw at Aklavik.

Q. Yes, I know but it does not explain it to me why there is too much hospitalization there.—A. I would not say which church went in first or which went in second, but it might be interesting to the committee to study that. Then you might have the answer as to why the second church went in.

Hon. Mr. BLAIS: May I ask another question?

The VICE-CHAIRMAN: Certainly.

Hon. Mr. BLAIS: It may be a ticklish one but I would like to ask what is your stand on liquor and Indians?

The WITNESS: Senator, I do not think anybody should have too much liquor. The difficulty as I understand it in the first place is that the prohibition was put in at the request of the Indians themselves in the early days. Now our missionaries would feel, I think, that it would be helpful if it were continued. However, we all understand that it is very, very, difficult to enforce the law and I have not had the opportunity of going over the evidence given by the representatives of the Roman Catholic church but I think they were all motivated with the same desire as anyone else, that is to do the best for the Indians, and some of them felt that the prohibition should be continued. Others thought it might be removed. That illustrates the difficulty that very sincere men have in solving the question. I do not want to evade the question but that is pretty well what I want to say.

*By Mr. Richard:*

Q. I would like to ask a question in reference to that. I do not think I asked you before. I do not submit the white man has learned to handle liquor but does not liquor affect the Indian more than it does the white man. I recall in the old days when it was first introduced it was called "firewater".—A. I think it affects some people more than others but whether you can say it affects the white man less than the red man, by and large, or in communities or as individuals, I am not prepared to say.

Mr. GARIEPY: The angle in which the question was presented to us was not so much to give freedom of liquor to Indians but the point was that under the law the Indians cannot now get liquor. If they touch it at all they can be apprehended. That is a source of trouble especially now that some of the Indians are more than half civilized and go and do business in the larger centres. Second, when they get liquor in any quantity, fearing that they will be discovered, they drink it in a hurry and it has a terrible effect on them, especially when they go home and raise trouble. Now the point that was presented to us the other day was whether it would not be better to relax the law to some extent. Even on the reserves when liquor was introduced there would be more police protection and possibly in the end less abuses. What would you say if the problem was presented in that light?

The WITNESS: Mr. Chairman, I must say I am not an expert. I would like to hear what the missionaries would have to say. It is not one of the items that a man who is in charge of administration runs up against as do the missionaries on the reserves. I think you all agree that there are very grave difficulties as has been stated and how they are to be met is a very difficult question.

*By Mr. MacNicol:*

Q. Mr. Chairman, I would like to ask a couple of questions. I was very much interested in what Dr. Dorey said about the need for administration of the hospitals being under the Indian Affairs Branch. I just, so as to make it emphatically clear, will repeat that it is your considered opinion that hospitals for Indians should be under the Indian Affairs Branch?—A. Yes, as it used to be.

Q. I agree with that but I just wanted to be sure of what you said. I do not see how two departments can handle Indian Affairs.—A. I do not either.

Q. I would like you to tell us further about the Cataragaus school? Is there one big school, a four or five or six-roomed school, with cottages all about?—A. The Cataragaus reserve which is about thirty miles from Buffalo has a group of what they call cottages. They are really houses with sixteen to eighteen children in each, with a house mother. They are all around in a semi-circle. At one end is the school teaching room, the classroom, with everything up-to-date. At the other end is the residence of the staff and in the middle is the administrative building. It has a passage-way so that the children can go from one house to another and from the house to the school without being subject to the rain and snow in the northern New York weather. Now it is an expensive business but all things which are worthwhile cost money. It certainly costs a great deal more than is spent in Canada, there is no question about that.

Q. How many pupils would reside in each one of those cottages and are they in separate dormitories?—A. The seniors have separate rooms but the smaller children are grouped in large rooms.

Q. I spent several days at Aklavik and there are two rather fine hospitals there. They both do good work but I agree with you that they do only one-tenth of what they could do and that one hospital would be ample to take care of any possible present demand at Aklavik. As a matter of fact there was only one patient in one of the hospitals and that was an Eskimo. I suppose on a good many occasions the hospital would have more than one patient but Aklavik was one place you were interested in and I believe one hospital would be enough if it was operated by the department?—A. I am not prepared to say why there are two there.

Mr. GARIEPY: Were they built with dominion funds?

The WITNESS: No.

Mr. GARIEPY: By private sources?

The WITNESS: Yes.

Mr. MACNICOL: Supported by the Indian department?

The WITNESS: Yes.

Mr. GARIEPY: Supported by a per diem allowance?

The WITNESS: Yes.

Mr. GARIEPY: No patients, no money.

Mr. MACNICOL: They must be supported by the government because they are quite a size and they are well heated and that would be quite expensive. Perhaps Mr. Hoey could explain.

Mr. HOEY: Dr. Moore is here.

Mr. MACNICOL: How are the hospitals financed, Dr. Moore.

Dr P. E. MOORE: I cannot say definitely about the capital cost of construction. I think the two institutions, like most mission hospitals, have received a grant towards the capital cost and the balance was provided from church funds. In case of those two hospitals in Aklavik up until very recently the government paid the salaries of two nurses in each hospital, they supplied drugs and dressings and other hospital supplies and paid a per diem rate for the maintenance of patients in the institution.

Mr. MACNICOL: What about the cost of heating them, did they advance anything toward that?

Dr. MOORE: No, that would be taken from the income paid to the hospitals on behalf of patients.

Mr. MACNICOL: Take the hospital at Winnipegosis, there is just one hospital there.

Dr. MOORE: Yes, at Winnipegosis there was a hospital not primarily built for the Indian population. A grant was made to the religious order that built the hospital at the time it was constructed. However, it is just another hospital in a Manitoba town where Indian patients are sent and where we pay a per diem rate for the maintenance of Indian patients when they go there.

Mr. MACNICOL: That was built during Mr. Crerar's ministry, but some patients come from the general population?

Dr. MOORE: Yes. At the Crerar hospital at Winnipegosis I think we have an average of about three patients per day the year round. There is a large half-breed population in that area—there are Indians and white people—they are citizens of the province of Manitoba, and either the municipality or the provincial government pay for the maintenance.

Mr. MACNICOL: You said it was operated by some religious order?

Dr. MOORE: Yes.

Mr. MACNICOL: You said there was a grant of \$25,000?

Dr. MOORE: I am not certain of the amount.

Mr. MACNICOL: It seemed at the time to be a large amount and there was a large grant at The Pas.

Dr. MOORE: There was a large grant made toward the construction of St. Anthony's hospital at The Pas.

Mr. MACNICOL: And that is operated by a religious organization?

Dr. MOORE: Yes; but that is a general hospital, and a per diem rate is paid for its maintenance.

*By the Vice-Chairman:*

Q. There are one or two questions I would like to ask Dr. Dorey. I would like to ask Dr. Dorey if he can give us some idea of the expenditures that have been made for education by the non-Catholic churches?—A. No, we have never totalled them up; but if you will refer to the brief which the Church of England gave you will find what it is costing them.

Q. Do they give it by provinces?—A. No, I do not recollect that they do.

Mr. HOEY: No, they have a central finance committee.

*By the Vice-Chairman:*

Q. Another question on which I think we practically all agree is the matter of giving greater responsibility to the councils of the bands; but would you think it wise to make that general or have it done by degrees? What I have in mind is



that some bands are less primitive than others. Some of those northern bands, according to the evidence we have received, would hardly be in a position to accept much authority, whereas others would be?—A. Some.

Q. Should that be adopted on a sliding scale; would that be practicable?—A. I do not see why it would not be practicable to devolve responsibility in various instalments. That has been done in other cases.

Q. That in itself would develop those bands?—A. I think so.

Q. In the matter of enfranchisement, we have had evidence from many witnesses among the Indian race that people were very much divided in that respect. Personally, I do not think it would be advisable to give the vote to the bands as a whole but only to individuals, because there seemed to be quite an objection raised in a good many cases. However, that is by the way. You spoke of competent educational studies being made. You have in mind studies such as have been made, I presume, by Dr. Andrew Moore. He has done a good deal of that work, has he not?—A. Yes, I think the department ought to be highly commended for having made a very serious study in recent years. Further, I would make the suggestion that there might be some value in having set up by the Indian department an advisory council such as obtained in Manitoba some years ago in which would be representation of the churches—so long as the present system obtains—and I am not saying that it is going to be changed over night—but the advisory council should be composed of educationalists and possibly one or two competent Indians, and should meet with the minister. I stress the minister because it will be necessary for him to confer with departmental officials from time to time and make recommendations, not about particular matters, but about matters of general policy.

Now, in Manitoba there were certain things that were definitely referred to this educational council. Mr. Hoey, who was the minister in the Manitoba government at that time, could tell you whether it worked or not. I think it might be very helpful to the department if in addition to having surveys made by competent educationalists there should be set up an advisory council.

Q. Now, there is one other point. Did I interpret your remarks correctly—because I think this is important? Is it a fact that if a regular teacher who teaches at any ordinary white school and leaves there and goes for a couple of years to teach in an Indian school he forfeits his right to a pension?—A. My understanding is that that is so; he forfeits his right under the pension scheme of that province for that length of time. It would depend on the province as to whether he could get back again.

Q. It seems to me to be a very important point.

Mr. MACNICOL: That is an important statement.

*By Mr. Gariepy:*

Q. Would he lose his rights if he went to teach in another province for a certain number of years and came back again?—A. Yes, it would depend on the provincial set-up.

The VICE-CHAIRMAN: Gentleman, it is now 1 o'clock and time to conclude our sitting. I wish the chairman were here to express the appreciation of the committee to the United Church delegation because he has had more practice in doing that than I have had, and he can do it well.

The WITNESS: So can you.

The VICE-CHAIRMAN: The committee extends its thanks and appreciation to you gentlemen for coming here and giving your views. We feel that they are really valuable to us, and we hope that out of all this evidence something worth while will result to the people in whom we all are interested. I thank you again, gentlemen.

The committee adjourned to meet on Tuesday, June 3, at 11 o'clock a.m.















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*Canada Indian Act Spec. St.  
Session, 1947*  
(SESSION 1947)



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 29

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TUESDAY, JUNE 3, 1947

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WITNESS:

Mr. T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and head  
of Department of Anthropology, University of Toronto.

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*11 JUN 1947*



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
TUESDAY, 3rd June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present: The Senate:* The Honourable Senators Blais and Taylor—2.

*The House of Commons:* Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Gariépy, Harkness, Little, Matthews (*Brandon*) (Vice Chairman), MacNicol, Reid—12.

*In attendance:* Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; T. R. L. MacInnes, Secretary; B. Russell; B. F. Neary, MBE, Superintendent, Welfare and Training; Dr. P. E. Moore, Indian Medical Services; also Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

The Chairman directed the attention of the Committee to errors made by the printer on page 1242 of the Minutes of Evidence. (*See Minutes of Evidence, for details.*)

Mr. T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and head of Department of Anthropology, University of Toronto, was called, made a statement and was questioned thereon.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

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### AFTERNOON SESSION

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present: The Senate:* The Honourable Senators Blais and Taylor—2.

*The House of Commons:* Messrs. Brown, Bryce, Castleden, Charlton, Gariépy, Matthews (*Brandon*) (Vice Chairman), MacLean, Reid—8.

Professor McIlwraith was recalled, and questioned.

The Chairman thanked Professor McIlwraith for his valuable contribution to the deliberations of the Committee.

The Committee adjourned at 6 o'clock, p.m., to meet again on Thursday next, 5th June, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS

JUNE 3, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: If we might have your attention, please, gentlemen.

First, I would like to make a correction in the Minutes of Proceedings and Evidence, Vol. 24, page 1242. In reply to a question Mr. Zimmerman, whom you remember is Assistant Commissioner of Indian Affairs in the United States, speaks of mineral "rights", surface "rights", head—"right". This was in reply to a question by Mr. Castleden. There are eleven cases in question and in each case although the spelling in the printed record is "rite" and "rites", it should obviously be "right" and "rights". This is an error on the part of the Printing Bureau as is shown by a review of the typescript of the report prepared by the committee reporters. I have the original material here before me and it shows that as it went to the Printing Bureau it was spelled correctly, "right" and "rights." If you will make a note of that and make the correction in your copy of the record please. It is evidently a mistake on the part of somebody at the Printing Bureau who took the original record and changed that particular wording. Obviously, the use of the word "rite" as they have made it, does not make sense at all.

We have to-day as our witness Mr. T. F. McIlwraith who is Professor of Anthropology and head of that department at the University of Toronto. If it is your pleasure, we will now hear Professor McIlwraith.

Carried.

**T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and Head of the Department of Anthropology, University of Toronto; and Associate Director, Royal Ontario Museum of Archaeology, Toronto, called:**

*By the Chairman:*

Q. Professor McIlwraith, it is the usual custom of the committee to submit a few preliminary questions as a foundation. May I ask you at this stage, if you would, are you connected with the University of Toronto?—A. Yes. I am Professor of Anthropology and head of that department, sir.

Q. How long have you been connected with the university in your present capacity?—A. I have been a member of the department since 1925. I became Professor of Anthropology in about 1935, plus or minus one or two years.

Q. And in the course of your work as anthropologist you have made a study of the Indian?—A. Yes. My field deals with man throughout the world. But if I may I would like to add that I am a third-generation Canadian, and my own specialty has been the people of North America; and, as a result, I have done field work in a number of parts of Canada and I have had students working on the Indian problem for a good many years. Perhaps it would be helpful, I brought along—I am not using this thing actually as evidence—but I brought along a volume on a study of the North-American Indian. It is a

report of a conference that we held in Toronto in 1939 on modern Indian problems. That conference was held under the joint auspices of Yale University and the University of Toronto. At it we had administrators from Ottawa and Washington, and we had Indians from Canada and Indians from the United States; missionaries from Canada and missionaries from the United States; and scientists from both countries. We sat down for two weeks for a discussion of problems of Indians in North America to-day with the hope and thought that it would need further studies and further exchanges of views. I believe very strongly in the desirability of men who are handling problems coming together, and the interplay between missionaries and scientists, between Indians and administrators of Indians. That, for instance, coincided with the outbreak of the war. It was the most difficult conference with which I have ever been associated on that score; and, naturally, we have done nothing since that time. We do aim at it as a further development.

Q. Have you studied Indian life on the reserve?—A. Yes. I have worked, particularly in British Columbia; I have also been around most parts of Ontario. I do not know the Maritimes at all well, although I have been on one or two reserves there.

Q. Are there any further preliminary questions, gentlemen?

MR. CASTLEDEN: I wonder, Mr. Chairman, if Professor McIlwraith would care to give us the name of the book to which he has referred?

THE WITNESS: It is titled "The North-American Indian To-day," published by the University of Toronto press and brought out by the late Professor Larum of Yale and myself. It is a series of essays on the problems of the Indian to-day, both in Canada and the United States.

MR. CASTLEDEN: Thank you very much.

THE CHAIRMAN: If there are no further questions, would you proceed, Professor?

THE WITNESS: Mr. Chairman, gentlemen: I thought in appearing before you this morning I might say that my field of anthropology deals essentially with the manners and customs of men in all parts of the world, and more particularly of those people who are of non-European ancestry and by and large who do not use a system of reading and writing. I am particularly interested and always have been interested in the problems of adjustment between different groups of people. That is my field.

In reading over much of the evidence presented before this committee, sir, I have been struck by one fact. Perhaps the first and most obvious fact is that most of the witnesses recognize that there is not one Indian problem to-day but a series of Indian problems in different parts of Canada. On that we are all in agreement. But I have noted, as no doubt you have, that there has been a tendency to blame either the administration and say it is all the fault of the administration that the Indians have not progressed; or, on the other side of the picture, that it is the fault of the Indians, they are backward or they are slow or they have not taken advantage of their opportunities or something. It seems to me, sir, that any attempt to throw the blame for the existing problem either upon the administration or upon the Indian is fundamentally unsound, and I would like to take three minutes to explain my view in that respect.

If we go back to the time of the first European contact, a matter of roughly three hundred odd years—a little more in the east or a little less in the west—you had in all parts of Canada Indian tribes living a highly specialized life. If I may take an example from among the Huron Indians, and I have been doing archaeological work there for the last year particularly; one of the early French writers speaks of the fact that it was much easier to get lost in the cornfields of the Indians than in the forest. I don't suppose, as a matter



of fact, you or any other member of this committee have ever cut down a tree with a stone axe. I have not myself. But, with a stone axe you cannot get a sharp cutting edge, and the amount of labour involved in clearing a forest with a stone axe to the extent of having huge cornfields was a terrific amount of labour, and the Huron Indians must have worked extraordinarily hard to achieve that result. Or, if I take an illustration from British Columbia, I would remind members of the committee that some of the Indians with stone tools made dugout canoes and in these canoes went out in the open Pacific to harpoon whales with bone- or stone-tipped harpoons, and in some way or other managed to kill the whale then tow it back in to shore; call it big-game hunting, if you like, but it was the hardest, most rigorous type of work.

The CHAIRMAN: How long ago was that?

The WITNESS: At the time of the first European contact. If we follow the casual white man's writing there is the presumption that the Indian did not have a specialized type of industry, or perhaps did not work very hard. But I give just those two examples; from which, if we use our imagination, we can see the amount of labour involved.

Now, the coming of the white man, and the metal axe, and the white man's gun and the white man's tools generally made these specialized skills of the Indian practically valueless. With a metal axe you can do your work in a tenth of the time; and consequently, the Indian gave up his specialized skills in order to obtain the white man's axes; a perfectly natural and obvious thing. I know I would move heaven and earth to get something that would do my work in a tenth of the time. I think we all would. That meant a new situation with the white man's tools coming in and the old skills becoming practically valueless. It was useless to be a good canoe-maker with a stone axe when under the white man's regime you use motor boats to-day, or earlier types of craft in the last century. Nobody but a fool would harpoon a whale with a sharp tip of bone or stone. It would be just sheer madness. So that instead of a man having proficiency and skill and being a great man according to his own mode of life he had to start at the bottom of the ladder in terms of the modern white man's industry.

I would suggest to you, sir, that this meant from the viewpoint of the Indian in every part of Canada that instead of being a master of his own life he suddenly became in the course of two hundred years a mere follower of a new mode of life in a land which he had regarded as his own since time immemorial. And I suggest that that is the fundamental problem in the contact between the Indian and the white; that from the viewpoint of the white man he sees people who have lack of white or European industrial specialization; and from the viewpoint of the Indian the old skills and the old values are as nothing, and he has had to start at the bottom without the advantage of a rather technical skill and training. Therefore, instead of it being a question of throwing the blame on the Indian or throwing the blame on the administration it seems to me it is a particularly good illustration of the interactions between peoples in the realm of a slow and orderly historical development such as has been gone through in all different parts of the world. That is why I say it is not fair to blame anyone or any group for the development which we see to-day.

Unfortunately, there was little, if I may use the term, continuing value in these skills; that is, the man with the stone axe might be an extremely good stone axe man, but it is very difficult to change from a stone axe to a metal axe. You have got to use a different type of cutting entirely. It is just as if a person who was a good writer with a quill pen was suddenly expected to become a good *Hansard* reporter, or a good teletype operator. You have an entirely different set of skills, and the more specialized you are in the one the more difficult is the process of adjustment; and it seems to me that our problem in

Canada as Canadians is to see how we can bridge this gap between the old life of the Indian and the life of the Indian of to-day. And that, I know, is what you and your colleagues are working toward on this committee. And above all, I think we have got to build up a feeling of confidence between the Indians and the whites. After all, the Indian in different parts of Canada has tended—rightly—to look backwards to the old days of the past and to the life which he led in the past. I do not say that he has idealized it into a golden age; although I suppose we all tend to look backwards in a sense; but he feels a sense of the fact that the white man has come in, that the white man has taken everything and left him a pittance. And, on the part of the white man, there is the feeling that the Indian has not made full use of his opportunities; that we are looking after the Indian, that we do this, that and the other thing for the Indian; and, between the two groups, there is a fence or a feeling of tension, a lack of mutual confidence. Most of us have had very good Indian friends and many Indians have excellent friends among the white men. There is a feeling of lack of real mutual confidence and, perhaps, on the part of the Indian toward the administration, something of a feeling of lack of trust in the white man's way of doing things. Such a thing is, of course, extraordinarily bad.

Now, sir, if I may, I should like to take this up under a number of headings. The one under which I am going to speak first is, as I see it, the problem of wardship; the problem of the administration of a group of people, by and large, as wards. That practice, in the historical sense, has been I think entirely necessary. Some of you may have read a volume by one Forman, entitled, "The Last Trek of the Indians". It is a study of the Indian administration—perhaps I should say lack of administration—in the United States in the 1820's and 1830's. It is one of the grimmest records I have ever read of exploitation to a degree by self-seekers of all kinds. We have avoided that type of thing in Canada by the very wise principle of protection and wardship. Comparable work has been done in New Zealand and, to a certain extent, in West Africa. I should like to make it clear that I am not protesting against the principle of wardship at all, but I point out it has a number of really serious difficulties.

For one thing, it is obvious the world has changed since the 1860's, 1870's and 1880's and a system which was necessary for the expansion of Canada in the last century has to be revised and looked over rather carefully to-day to see whether it is the correct system at the present time, or for the future. As I see it, wardship has two great dangers on both sides of the picture. One, and this is the way the Indian would look at it; he would say, "Oh yes, under wardship you have a civil service; a Department of Indian Affairs growing bigger and bigger with fabulous salaries being paid to officials; a complete bureaucratic system." You know and I know that is not correct. I know Mr. Hoey very well. I do not know what his salary is but I doubt if it is a tremendously large one. Neither do I think of Mr. Hoey or his colleagues as bureaucrats. However, that is the viewpoint of the Indian. There is the danger if you have an administration, of the administration growing bigger and bigger and being regarded by those who are being administered as a concern run by millionaires. You know that point of view.

The other point, which is also from the viewpoint of the Indian is, if you have an individual or a group of individuals who are being paid something by the government, whoever the government may be, then it is human nature, I think, for them to want more and more. As an illustration, consider the white man under the same circumstances. Go back to the period of the depression and consider the white man on relief. He did receive something but



he immediately felt he should receive more. Perhaps I can put it still nearer home. Those of us who receive salaries from fairly large corporations have been known to feel that our salary might justifiably be rather larger than it is.

The CHAIRMAN: That would not apply to members of parliament.

The WITNESS: Splendid, I am glad to know there are exceptions. Joking apart, that is exactly the situation as I have met it among the Indians of northern Ontario. They say, "Yes, the white man has grown rich in our country. Look at the lumber; look at the hunting rights; look at the well-dressed officials; look at the number of tourists who come in and the wealth made by the hotel men, all in our country." I think it is a fact that if you accept responsibility for paying individuals on a community basis year after year, then they say, "You are responsible for looking after us and you are making a very bad job of it because if we were paid \$5,000 a year we would be infinitely better off than being paid \$60 or \$50;" whatever the amount may be does not matter. Human nature being what it is, if some were paid \$5,000 a year, they would want \$7,000. Is that not a reasonable inference?

I suggest the two dangers of wardship, are: one, the question of bulidng up an administration which may be regarded as soulless, big and powerful. It is frequently so regarded by the Indians. The second danger is, if you start paying people for an indefinite period, you sap their initiative. They turn and say, "You have to do more for us. Look how poverty stricken we are."

How are we going to cope with this situation? Looking at it as an outsider—and please remember I am definitely an outsider—I have never had anything to do with administration but I am interested in Indians and my job is to look at problems of government and problems of non-European peoples. As I see it, we in Canada have a tremendous responsibility to bridge over this period of wardship because I regard it as a bridging factor. I would hate to think that the Indians of Canada are going to go on as wards of the dominion indefinitely. There is no reason why they should.

I am sure it is not necessary for me to say so, but an Indian is every bit as bright as anyone else. If I try to think of the three most intelligent men I have met anywhere, one of those three would be an Indian. He was, as a matter of fact, a great friend of mine. He was also a thoroughly bad egg, but he was extremely bright. One can take many, many other illustrations of men who are just as bright, only the Indian has had to start 300 years ago in roughly the same position our ancestors were in in Europe approximately 6,000 years ago. He has had to catch up on 6,000 years in 300; that is a terrific handicap. We have to use our responsibility, as I see it, to try to bridge this by proper Indian administration.

One of the major problems, and I raise it at the present time, is the question of field administration in the division of Indian affairs. The Indian agent who is on the spot in the different parts of Canada is so often looked to for advice and help by the Indians in every conceivable way. If somebody runs off with somebody else's wife, which happens among Indians as among whites, the Indian agent is the person to whom the appeal is made to try to straighten the thing out. If somebody is sick, go to the Indian agent. If somebody is having a fight with somebody else, go to the Indian agent. He is far more important as an adviser—I am not so concerned with his legal right as I am with his position of leadership in the community. I feel we, as white Canadians, have a responsibility to see that the very best type of man is sent to help the Indians during this period of transition. I want to say very definitely I give Mr. Hoey and his colleagues tremendous credit for getting as good Indian agents as they have in view, among other things, of the salary and social position. You have had the figures before you so I needn't go into them.



I know in my own university museum, I would find it extremely difficult to get second or even third rate men at the salaries which, at least formerly, were paid to Indian agents. Yet, there is a man off in the corner of British Columbia, or up in the Northwest Territories, or somewhere else who is mother and father, guide, counsellor and friend to several hundred or perhaps several thousand Indians. He cannot be effectively checked at every step all the way from headquarters in Ottawa. He has to be a good man. He has to have a lot of authority. There is where I claim we need to send the best men into our Indian service. It calls for a man with training. It calls for men with a sense of social responsibility. It calls for men with administrative experience and aptitude. Above all, it calls for men, not with a superiority complex, but men who are willing to recognize problems of adjustment; men who will sit down and be prepared to help, not for eight hours a day but, if necessary, for sixteen or twenty hours a day. The Indian agent, fortunately or unfortunately, must be like a doctor, on the job all the time to help his fellow men. It calls for training as well as for enthusiasm. We want the best men our universities can turn out, trained in the social sciences. I believe in men trained in the social sciences just as much as in physics or chemistry or any other of the natural sciences. I think there is where there is a good opportunity of bringing in trained men.

Then, I would suggest there is need for the Indian agents having what I think they call in the United States, in-training conferences. I am not sure of the term. I know, second-hand, what has been done in South Africa where, by and large, administrators have not been of the best calibre. I do not know whether I should have made that statement, but I believe it is true anyway. They have had difficulties in South Africa. They have done the best they could under a difficult situation. I know the situation has been helped by bringing these men together at such conferences. I should like to see facilities for increasing the training and experience of our own Indian agents, citing the advantages which have accrued in South Africa where you have had comparable problems although in a different field.

Another problem has been that the question of wardship has necessitated—I think it has been a necessity—centering so much of the administration in Ottawa. This has had an effect upon the Indians. Some difficulty crops up in Alberta, for example. The local Indian agent has to refer it to Ottawa. I am not raising the question of provincial rights versus dominion rights in that respect, but from the point of view of the Indian who says, “Why should this have to go up to Ottawa and then the decision come back several weeks later”? I think that has been necessary in the past owing to the type of man whom it was possible to bring into the Indian Affairs Branch. I hope it will be possible to improve the calibre of your men in the field and to increase the number of field instructors, thus making it possible to have more decisions made on the spot and less reference to headquarters. I have no idea of what headquarters would think about that, but I throw in my opinion of that as desirable for increasing the morale of the Indians.

In that connection, I should like to see an increasing number of Indians brought into the Indian administration. This has been done in the United States and it has been successful, by and large. Please do not think I am arguing that every Indian is a saint and if you put an Indian into administration, you will have success. You will not. You will have just as many failures from Indians as you will from white men. Once we get to the point of realizing we have the same problem, and cease to look at the Indian either as a down-trodden lord of the forest or a saint or sinner and realize he is a human being just like ourselves, then we shall have made a start on the problem. There are good Indians, many of them. There are also some bad Indians and there are

a great many intermediate ones just as there are in every other community. I do think that special training, where possible, to increase the Indian representation or Indian participation in our administration is desirable.

Above all, in this whole question of wardship, I should like to see an opportunity—a recurrent opportunity—for redrafting clauses in the Indian Act or for redrafting questions of obligations and rights. There is a great difficulty, as I see it, a great danger, once a thing gets into the law that it is practically impossible to alter it. You know the problem to which I am referring. You see it in every country. So often something which is perfectly desirable in an Indian treaty entered into honestly on both sides in the '70s or '80s, perhaps not in full honesty on one side or the other, becomes law and cannot be changed. In the redrafting of the Indian Act, sir, I hope it is going to be possible to allow for further adjustments and flexibilities, as conditions change.

Perhaps it is logical then to follow that up with certain thoughts in terms of enfranchisement. This is a sore spot. It is, I think, perfectly obvious to all of us. I am going to take enfranchisement and legal disabilities as a whole. I think we all recognize that the Indian, as was the case in the first great war and was the case in this last war—I know I remember in the first great war overseas meeting a number of Indians, I go back to the first great war—it is perfectly obvious if an Indian joined up and did his job overseas; and many Indians have been decorated for doing a thoroughly first rate job; then he comes back to Canada and finds he cannot vote; cannot go into the local beer parlour; or cannot do something else, because he is an Indian, he is going to feel sore about it. I would under the same circumstances and so, I think, would every member of the committee. It is not fair.

On the other hand, I am not sure that the whole question of enfranchisement is as insoluble as it has seemed to be. I do not think it is. I think what is needed is this: any Indian who wishes to be enfranchised and who has the necessary qualifications and the division of Indian affairs is agreeable to his enfranchisement and so forth—I am not concerned with the legal technicalities—is unfortunately in the position of having to cease to be an Indian when he becomes enfranchised. Again, I am not worrying about the legal attitude, but that is the way the Indian looks at it. The man who becomes enfranchised ceases, by and large, to be an Indian. I do not think that is necessary. It is going to require a good deal of clever and thoughtful legal work, but I am sure there are plenty of able lawyers here on the committee and elsewhere. Surely it is possible to devise a mechanism whereby an Indian with the proper qualifications can vote, can become a citizen of Canada without, in effect, having to give up his Indian background and his Indian heritage.

May I take an illustration from my own family. As you may judge from my name I am of Scottish ancestry, whether it be good, bad or indifferent. My grandfather came out from Scotland, settled in Canada, but continued to have a definite pride in Scotland and a certain liking for the bagpipes which may be good, bad or indifferent, I do not know. Now, why is there not some way by which an Indian can vote, can take his full part in the peacetime life of Canada as he can in the wartime life of Canada and still retain his position as an Indian with, perhaps, his rights on a reserve. The reserve could be a focusing point, a rallying point for the Iroquois or Blackfoot or Haida or Amalecite, from whatever part of the country he may happen to be. I am not arguing for any highly preferential treatment for the Indians. It may be proper that the land on the reserve should be subject to full taxation. This would be bitterly opposed by many Indians. It is something which would have to be worked out by a team of lawyers working with the Indians on the one hand and the administration on the other. I am no lawyer. I do not know how the mechanism for that could be worked out, but I do suggest, sir, it is desirable



to keep as a goal before us how the Indian can be a peacetime Canadian while retaining the pride of his Indian ancestry and certain rights on the reserve as a focus of the pride of his race and his background.

After all we are in Canada, to use a common word, hybrids. We like to use the term "melting pot". We have people of every nationality contributing to our Canadian life. Why should not the Indian be able to contribute his very significant quota without having to lose that when he becomes a Canadian? We have to give the Indian a thoughtfully worked out place in our Canadian life.

Speaking now of the disabilities of the Indian, one of the things about which the Indian feels very badly, and I sympathize entirely with him, is the question of what some call race prejudice. Many members of this committee have met the thing about which I am going to speak. I think of a frontier store up in Northern British Columbia. An Indian goes in and is being waited upon. A white man comes in and the Indian is brushed aside. The white man is dealt with first. The Indian must wait. If there is a question of reduced rates, the Indian is usually charged the higher rates. If there are any poor bananas or poor oranges, they are loaded off on the Indian. The white man gets the better share. This type of thing has been going on probably in every part of the dominion, but perhaps more seriously in terms of seasonal labour. If somebody has to be laid off, the odds are it is the Indian. The Indian feels this very strongly in I think every part of Canada. It is regarded as an example of race prejudice.

I suggest, sir, it is not race prejudice at all. I feel rather strongly on this. It happens to be a thing about which I have thought a great deal. There is no race prejudice when you come to such a man as Oliver Martin who, I think, gave evidence before your committee last year. He was a brigadier in the Canadian army and is a police magistrate in the county of York at the present time. I think a white man haled before him and fined for speeding might have a certain feeling, but it would not be based on race prejudice. In Toronto, at North Toronto Collegiate, the senior physics and chemistry teacher is Dr. Jamieson, an Iroquois. A couple of lads from North Toronto were in to see me at the university a few weeks ago. I do not know how the conversation swung around to the subject but I was asking where they came from and they said North Toronto. I said, "Did you do work under Jamieson?" "Yes". Further discussion back and forth brought us to the point where I said, "I know him as an Indian." They simply looked at me and said, "Is Jamieson an Indian?" I said, "Yes, moreover he is not even enfranchised. He is still—" I did not explain the fact that he could neither vote nor legally drink beer, but they said, "Well—", then they just stopped. There is a man who is not regarded as an Indian by successive generations of high school students who have gone through his hands. Over in the Department of Mines you have "Slim" Monture. I am not just sure what his position is at the moment. However, he is one of the senior officials in the dominion government Department of Mines.

I could give you illustration after illustration. There is no race prejudice as applied to the Indians. I do not think there is race prejudice from the viewpoint of the Indian as applied to the white man. I have a great many Indian friends. I have sat down and smoked and yarned with them and I have seen less evidence of race prejudice on their part than on ours. What there is is the fact that many Indians are not sufficiently trained or adjusted to our mode of life so that they can fit into it as a class. Oliver Martin, Monture, Jamieson and Mr. Lickers, your counsel, as well as hundreds of others can do so. Once that happens there is not the ghost of a trace of race prejudice. What we call race prejudice is merely the fact that many Indians are not fully adjusted to our mode of life. Why? Because they have to make up in three hundred years



what has taken our ancestors six or seven thousand years to do. Rome was not built in a day, and we cannot expect these sudden adjustments. So my thesis, sir, is that if the educational background of the Indians of Canada can be improved to the extent that they are working to meet the white man as an equal, then race prejudice disappears. By and large there was not race prejudice in the army, as far as I know. I certainly saw no trace of it among the Indian and white troops in the first war, and as far as I know there was no trace of it in this war which has just concluded. It is when you come to different standards in our social and economic life that you run into problems; that goes back to a question of training.

Now, what about training? I am engaged in the field of education and please do not think that I have any idea that by taking John Ojibway, or whatever his name may be, out of a wigwam up in northern Ontario or out of a house out in British Columbia and dropping him down into a school and teaching him reading, writing and arithmetic that that is education. It is not. By education I mean a process of slow adjustment into that way of life which is our Canadian way of life.

Now, I make that statement almost sadly because I know a great deal about the past of the Indian way of life, and I hate to see it disappear. Neither am I satisfied that our way of life is the ideal and best of all possible ways of life. Perhaps I should say that I come from Toronto. I do—

The CHAIRMAN: And you are proud of it?

The WITNESS: Well, I will go a little further back and say that I was born in Hamilton, which throws another picture onto my screen. But, after all, gentlemen, is it the most sensible way of spending one's life to live in a big city; to have to work twelve or fourteen hours a day and among other things read examination papers? I have been in Quebec for the last ten days, and I worked solidly on the train on examination papers, and I took a last swing at them at the hotel last night. The Indian would say that I was an absolute fool to do that sort of thing—perhaps he is right. Each of you in your own sphere does exactly the same thing. May I use an unparliamentary term and say: the same damn fool kind of things. We must do those things in our specialized way of life.

I recall a Cree Indian up in northern Ontario with whom I talked a number of years ago. It was a beautiful day in spring and we were sitting out smoking our pipes and talking, and he asked me, "How many rooms have you in your house? I told him. He asked me, "How much taxes do you have to pay on your house?" I told him rather ruefully. And he asked me, "How much time does it take your wife to keep the house approximately clean?" I could not answer him, and he laughed. He said, "Is it not better to live in a simple wigwam and not have to work so hard, not have to pay taxes on something you have to work so hard to keep up when you have got it?" I think he was right. I think we do an extraordinary amount of rather wasted effort.

Now, if we were logical we should argue that the proper thing to do would be to destroy universities and to destroy our houses and to go running around hunting and fishing—hunting the deer and the caribou—and living in a wigwam. I am not arguing for that for one moment. I should be extremely unhappy in the cold of the northern Ontario winter, and I do not think I should make a success of hunting the deer or of catching fish. Besides, I do not want to try it. For better or for worse, the white man's way of life is going to prevail, and I see no way in which we can, with the atomic age coming on, have a small group of our population going on as fishermen or hunters or as peasant farmers. It is a sad thought. Just as each of us, perhaps against his will, is drawn into the maelstrom of our modern atomic age, we have to work in order to be able to pay for this, that and the other thing in our modern society. So

I think with all the Indians of all parts of Canada. Slowly or rapidly they are going to be drawn into our way of life. There is no other expedient that I can see. I feel sad about it, but there it is.

In the highlands of Scotland the old clan system is breaking down. The world moves on. What I hope is that we recognize our responsibility in easing this process of change for the Indian and help to make the adjustment as easy as possible and give him the opportunity, which he warrants and deserves, of preserving as much as possible of his old life; and particularly of preserving the pride in the things that made him great in the past: his oratory, his relationship to his fellows, his loyalty to his associates—these are among the great characteristics of our Indians in Canada.

So when I speak of education I am not thinking of reading, writing and arithmetic; I am thinking of education in farming, education in hunting, education in fur conservation, education in the use of fur conservation, training in the realm of industry. Our canoes are derived from the Indians, and surely it is not beyond the measure of our intelligence to help the Indian to use modern machinery to turn out better canoes, retaining the pride of the old Indian in the industrial life of the present. It has been done in British Columbia to a certain extent in connection with the making of sweaters—a certain type of weaving.

Now, I am not arguing for handicrafts as being a great or significant factor in the life of a people. It is of importance to the Indian in this age of modern science to help him develop these things which are part of his old life; but he needs the opportunity of technical training. He needs the opportunity for a limited number of Indians to become doctors, lawyers, professional men. He needs the opportunity to enter the ministry. I do not refer to all of them; neither should every white man have the opportunity of going to the university or to receive higher training. I speak almost bitterly on this subject because at our great universities we always find the problem of the individual who has managed to get through matriculation but who is a misfit from the day he enters university, and has to be weeded out. That sort of thing is a waste of the student's time and a waste of our time.

Please do not think that I am arguing that every Indian should receive education all along the line, because I am not; but there should be opportunity for the gifted few, and a much wider range of opportunity than exists at present in the way of development in the technical training schools and the agricultural schools, and in other special types of training. I should like to see summer schools in which those who are working in fur, for example—trapping—should be brought together, not in a formal school but in an open air camp somewhere where Indians who are working in those things will have a large contact with men from the division of Indian Affairs—some of Mr. D. J. Allan's fur conservation men—contact with naturalists who know about the cycle and growth of fur—to receive help in the knowledge of conservation and the interactions of trade on a completely informal basis. That is education; and it is not a school in the technical sense of the word.

What about schools? Now, we get into this very vexed problem of the day school versus the residential school. Well, I am not going to sit on the fence; I am going to come right out and give my personal opinion. Again, remember I am speaking as an individual; I am not speaking for a group or for an institution. I will say that I think the residential school is necessary, and it is a fine thing, where we have orphans or broken down families, where the parents are drunkards or are otherwise incapable of looking after the children. Then somebody ought to step in. Now, the tragedy of it is that in the old days there was family responsibility among every Indian group across Canada. It existed among the Metlakatla Indians of northern British Columbia and it existed among the Eskimos, and by and large there was no such problem as an orphan child. The mother's brother or the father's brother or somebody else



always stepped into the breach. That condition has passed. That is one of the things that has been lost. We have to replace it; I think that is where the residential school comes into the picture. But I should like to say equally that I think the residential schools should be regarded only as an emergency in case of broken families, and that what are wanted to-day are day schools which will become the centre of a community and not a residential school where little John Ojibway is picked out of his environment and dropped two hundred or three hundred miles away into a different environment where the poor little devil is so homesick that he is completely at sea.

Now, I am not minimizing this problem of the day schools. How are we going to run a day school up in Patricia district in northwestern Ontario where we have hunting groups moving hither and yon? Are we going to have a peripatetic day school where the teacher is flown in my aeroplane? There are very real difficulties, particularly in the north; and as I see the problem what is more important than the school is the teacher. If it is humanly possible to get them you have got to have Indian teachers who will regard the bringing up of their people as the major responsibility and a reward in itself. The ideal person is one with the zeal of a missionary who regards education as his missionary activity. In the more settled parts of the country—and of course the bulk of the Indians do live in the settled parts of the country—we have to-day that kind of thing. That has been done.

I am going to mention the work of one man—I do not know whether his name has been mentioned here before—but I am thinking of Mr. Anthony Walsh who worked in the interior of British Columbia. Now, I think Mr. Walsh presented certain difficulties in a variety of ways. He is one of the most originally independent men that I know. He regarded teaching as a means of bringing out the interests of the Indian children. He had the Indian children drawing with mathematical figures and the totemic figures of their ancestors instead of the conventional things that children draw in kindergarten. That meant that the children had to go to their grandparents to get their ideas and that interested the grandparents. Then Mr. Walsh had to go to the children's parents and to the grandparents to get the dyes and colours and to get those in the right order. The next thing that happened was that the parents and the grandparents were coming into the school to see what these youngsters were doing. It became a joy to go to school rather than a chore. Then the white people of the community began to get interested and by and large Mr. Walsh developed a school of art, and he had Indians and white people studying designs and doing sketches and that sort of thing.

Now, perhaps I have oversimplified the matter; perhaps I have stated what might be a too eulogistic picture of Mr. Walsh and his work. Mr. Walsh is a Roman Catholic and when the war came along he went into war work with the Knights of Columbus recreational centres where, again, he followed his bent of interesting people in doing things. He served not only among the troops but among the civilians.

Now, that is the kind of thing which can be done if you have a person who possesses originality. In the United States that kind of thing has been done to a considerable extent; and what I would urge, sir, is that the residential school be limited and that the day school be strengthened as much as is humanly possible as a centre not only for the children but for their parents and grandparents. It is difficult, and you may say that I am asking for an impossibility. It can be done to a limited extent. It is something which I think can grow once you have the right attitude.

Now, of course, you run into all kinds of difficulties in education among Indians as you get into distant places. I am thinking of the influence of the group. Probably most Indians have a far stronger family sense, a clan sense of responsibility, than most white people. I can think of one very sad



experience to illustrate that point. I had an Indian student come into one of my classes a year ago last October. I asked him what he wanted to do. He said he wanted to study sociology and his ambition was to get into the division of Indian Affairs as a field representative doing social work among his people. I said that was simply splendid because I knew he would receive every encouragement and help from the division. He was an ex-service man studying at the university under the D.V.A. grant. We all tried to help him as much as possible. He was not a first-rate student and I knew something of his background and I realized the difficulties back of it. Toward the end of the year something went wrong and the next thing I knew he had disappeared from the university entirely. Well, a number of us got interested in him and I found out where his sister was living and I got word through to her. What had happened was simply that one of the brothers of this student was in trouble and needed money and this man stood by his brother and got into financial difficulties, and in so doing ruined his future. Now, you may blame that individual for allowing a family bond, a family claim, to take precedence over his future. I blame him for so doing, even from a clannish point of view. Among clansmen people tend to be extraordinarily individualistic; an Indian has a bond of family responsibility. I have seen that on the prairies. An Indian will start up a little store or a garage or something of that nature and somebody will come in and ask for some tobacco. Well, he has not got any money but, well, he is somebody's second cousin, therefore the storekeeper advances him credit and the next thing you know that storekeeper is ruined—ruined by his own relatives or ruined by the claims of his own fellows. The Indian is not as hardboiled as the white man in terms of economy or industrial life.

Now, that means that we have a slow process. You cannot expect the Indian to come out of the reserve and go right into something else; you have to build slowly and bring up the group. The activities of the Indian sometimes interfere with education; so do our own, for that matter. For instance, there is the influence of the sun dance which is still strong in certain communities. That is the influence of the old way of life. From the administrative point of view I would say that one would hate to see Indians interfering on account of their old religion or their old social practices. After all, we permit plenty of things to interfere with our activities, and I do not think we have a right to be too critical.

THE CHAIRMAN: Will you tell us something about the sun dance which would interfere?

THE WITNESS: Yes. In the old days when the sun dance was taking place it was the great centre of attraction and everybody had to go to it. Shreds of the sun dance still carry on. And when it is going on the youngsters at home hear the parents talking about it and then get thinking about it and it interferes with their studies and their thoughts, as far as school is concerned. If somebody tries to hold what might be called a sun dance, or parts thereof, you would have the Indian youngsters with their minds not centred on other things. You see how it works. In the old days the sun dances would last probably five days. Mr. Hoey and Mr. MacInnes will know the exact time better than I, but I would say five days; but the preparation for the sun dance may take weeks and weeks.

MR. MACINNES: I would not say that there is to-day a set period or that the dates of the festivals are so clearly fixed as they used to be, but our experience has been that they seem to come just at the time when Indian labour is most needed in their own agricultural operations which suffer very much in consequence.

The WITNESS: Yes, that is the problem of the old and the new; there is the sentimental feeling of the old, and I think you have always to remember that it took a long time for our ancestors in Europe to become adjusted to modern life, and we cannot expect too sudden shifts.

Now, there is another question that is, perhaps, the most vexed one of all, and that is in terms of schools—the question of denominational schools. Now, in speaking on that matter may I say that I happen to be a Protestant, but my work for the last few years has been in the field of archæology and I have had a great deal to do with the archæology of the country of the Hurons. Naturally I have worked in close cooperation with the Jesuit Order and I have had occasion to study rather extensively the work of the Jesuit missionaries in Huronia. I mention that because I want to say that I have a tremendous admiration for the pioneer missionaries of the Roman Catholic faith. I think they were faithful to death to the extent that their co-religionists have every right to be proud and grateful, and as Canadians I think we all have reason to be proud of their example. I am very proud of their work and pay tribute also to the work of the missionaries of my own denomination. I want to say that in education we owe more than can ever be said to the churches, and the Indians owe much to the educational work of the churches which started the bulk of the educational work in Canada. I make that statement without the slightest qualification.

But what is the situation in the year 1947? We are considering to-day, and we are planning for the future; and I would like to raise the thought that in most countries of the world education has ceased to be the function of any religious group. Religion is becoming largely secular, and that is the experience of most countries, that the best education is handled not by religious denominations but by the state as a whole on a completely non-sectarian basis.

Mr. BLACKMORE: I wonder if the professor did not use a word which he did not intend to use? He said that religion has become secular.

The WITNESS: I beg your pardon, sir, I should have said "education". I apologize profusely for my mistake.

Mr. BLACKMORE: It is a simple slip.

The WITNESS: It was a very stupid slip. I think it is true that education is becoming more and more an affair of the state. Do we not owe it to the Indians of Canada and owe it to ourselves to see that the best type of education is offered to the Indians? And if it is the experience in other countries of the world that education should be an affair of the state then it seems to me that we in Canada have the responsibility of giving the very best in the broadest type of educational work and I would hope that that could be done without minimizing for one moment the work that has been done by religious bodies in the field of education. But let us think of the future and let us see to it that the highest possible standard of education is offered in Canada.

Now, finally, sir, there is just one other point I wish to mention. You have been extremely patient with me. The other question I would like to raise is that another of the major problems of the Indians is the question of health. I am not going to speak on it. Frankly, I am not a medical man. I do not know the exact figures. I will only say any health figures show that, in the past, the health of the Indians has not been on the same scale and is not as satisfactory as the health of the white people. I think that is due, again, to a variety of factors. Not that the Indian is a physically weaker specimen than we are, he is not. It is a question of education and a question of unfavourably economic conditions. It is a question of a lack of understanding of such gifts of the white man as measles, chickenpox, smallpox and probably venereal disease. We have brought in a number of diseases and the Indian has had a problem of adjustment to them.



Furthermore, there has been a question of diet, of food. I want to put in a word here, sir, and say there is nothing, perhaps, for which the government has been more criticized than this question of health. Up in northern Ontario or in the Arctic some Indian suffers from measles. It is a rallying point for the critic who says, "Why didn't the government look after this person?" Actually, sir, the problem is virtually insuperable in the outlying districts. How on earth can a government, any government, provide medical services and provide hospitals for every small group of hunting Indians ranging over X hundreds of square miles of tundra and muskeg up in northern Canada? A perfect medical service is not conceivably possible in the pioneer areas. I suggest it is sheer rubbish, I say that deliberately, it is sheer rubbish to say you could have a doctor at every hunting camp throughout this wide area at every season of the year. As a matter of fact, a large amount of very capable thought has gone into the medical-health service of the Division of Indian affairs which, as you know, has recently been transferred to the Department of National Health and Welfare. I think we have done a very creditable job in Indian health, not a perfect one. We all know that nobody dies or is sick but that we immediately blame the doctor. There have been plenty of cases of bad administration. The Indian is not particularly vocal. In many cases he does not understand some of the problems. You have had poor doctors, some of them, and on the other hand you have had a very large number of extremely able and devoted doctors. I want to make it perfectly clear that in citing some of these difficulties I am not—I should like to underline the word—I am not criticizing the medical administration or the men who have served in it. I should just like to say, in terms, health integrates with industry and it integrates with education.

I am very glad indeed that a survey and study and a direct process of doing things in terms of health problems in northern Ontario is being started next week. You had one of my colleagues, Dr. Brown, appear before you a few months ago. He and Dr. Tisdall have a very wide project of actual development of health services in the broadest sense of the word underway in northern Ontario now with the very full co-operation of the division of Indian affairs and the Indian health services. I think I might say it is undertaken with the support of your committee as well. I think Dr. Tisdall and Dr. Brown told me they had met with a very good reception here. I might say I was instrumental in bringing Dr. Brown back from England last year. I was thinking of his interest in the problems of administration. I had hoped, over the course of years, he would work into this work. As a matter of fact, he was thrust into it within two weeks of his arrival in Toronto. It was a very curious and rapid development.

Now, sir, I think those are the points which seem to me to be the most vital ones in the problem of Indian administration to-day. I should like to thank you, sir, and the members of the committee for the very courteous way in which you have listened to an outsider speaking of some of the problems which have impressed themselves on him over the course of years. May I just say that none of them are going to be solved overnight. We cannot expect a new Indian Act or a new anything to make everybody happy. Man moves slowly. I think we white Canadians must recognize that the Indian, as a result of the coming of the white man, has been pushed down to the bottom of the economic scale except perhaps among the Eskimo and some of the northern people. Therefore, you have to have a slow process of development before he can become part of our economic and industrial life. I thank you very much, sir.

The CHAIRMAN: Thank you very much, Professor McIlwraith. I know from the attention which has been given by this committee your remarks have been greatly appreciated and are very timely. The policy of the committee



has been, at this stage, to permit questions by the members of the committee, taking them in order. I do not remember whether we went clockwise or counter clockwise the last day, but would it be in order to go clockwise and start with Mr. Blackmore?

Agreed.

Have you any questions you desire to submit, Mr. Blackmore?

MR. BLACKMORE: I think it might be of interest to the committee to have Professor McIlwraith go into the matter of the sun dance in just a little more detail than he did.

The CHAIRMAN: I must confess I was a little at sea when he started to talk about the sun dance because I know nothing about it.

MR. BLACKMORE: I should like to have the Professor, if the other members of the committee are agreeable, tell us the significance of the sun dance; what was the general nature of it; why it was so interesting to the Indians; how frequently it was held and so forth. Did it have any religious significance and if so, what?

MR. REID: May I ask if Mr. McIlwraith is coming back again?

The CHAIRMAN: This afternoon, if it is your pleasure. We could meet in room 368.

MR. REID: I am just looking at the time. It is now twenty minutes to one.

The CHAIRMAN: Is that agreeable to you, Professor?

The WITNESS: If you would wish to have me, sir. I am entirely in the hands of the committee.

MR. BLACKMORE: I think it is only fair to the other members of the committee who may wish to ask the Professor questions on some matter about which he did talk, to permit them to ask their questions now. Then, if there is time the Professor could give us a more detailed account of the sun dance.

The CHAIRMAN: If that is agreeable to the committee we shall follow that course. Have you any questions, Mr. Blackmore?

The WITNESS: I must thank you for checking me on the misuse of a word. I hate doing that.

MR. BLACKMORE: It was not the misuse of a word, it was a slip.

The WITNESS: Yes, but I hate doing that.

MR. BLACKMORE: After all, the Professor has been talking for almost an hour and a half and he can be excused for that.

MR. MATTHEWS: I was going to ask you whether, in your university experience, you had noticed Indian pupils coming from the ordinary day schools when they have met white pupils, had you noticed any advance on their part over those pupils who had attended purely denominational schools?

The WITNESS: I cannot answer that, sir. I wish I could. There have been too few Indian students at the university. In my experience I have had, I think, only two or three Indian students. Therefore, unfortunately, I have nothing to contribute.

*By Mr. Matthews:*

Q. I was going to ask you whether you had noticed any difference in the result attained in the various denominational schools? Do you notice any one sect more advanced than another? Now, I am not going to ask you that question because I can understand that some schools will be conducting their work in territories where they could not make as good progress as others. Therefore, I withdraw the question before I ask it.—A. May I say, sir, on that that I have thought a great deal about the question Mr. Matthews was going

to ask, but did not. I wish I knew a way of answering that. How are you going to compare, let us say your Iroquois whose ancestors were agriculturalists before the coming of the white man, who is more adjusted to group activities, and I use that term definitely, how are you going to compare his work in school with that of the Abenakis from northern Quebec with whom the largest group he ever came in contact would be twenty individuals. The background is so diverse, I do not know how to compare it. Neither do I know the ideal—there is not an ideal system of education which is going to work across the whole of Canada. It has to be flexible. It has to be a very carefully thought out series of studies. I use the word "studies" in the sense of a curriculum. Above all, there has to be the right kind of teacher. The kind of teacher who will be good in an agricultural area in the southern prairies, for instance, is going to be very different from the type of teacher who will work at a trading post with the seasonal coming and going of the Indians in northern Quebec or northern Ontario or even British Columbia, for example.

Q. Yes, I thoroughly agree with you, Professor. You spoke of the enfranchisement of the Indian. I have a sort of theory and I wanted to sound you out on it. I am wondering whether greater responsibility should not be given to the bands, the foremost bands? I am speaking of greater responsibility in self-government. Then, some process should be evolved whereby that responsibility would be increased as the bands showed themselves capable of taking on more responsibility from year to year, until such time they show they are perfectly capable of governing themselves. It seems to me when that time comes, that band should be given automatically the privilege of voting without ceasing to be Indians. I do not think you can hand out enfranchisement to all bands because they are not sufficiently developed, but make it more or less automatic. This, of course, involves the question of having some one individual or committee say when they are sufficiently advanced. Is that idea practicable in your opinion?—A. I think it is, sir. I think it would have a further effect of encouraging and strengthening the Indians. You have a tremendous feeling of frustration on the part of a great many Indians who say, in effect, "What is the use; we do not get anywhere. It just gets pigeonholed at Ottawa." Some things do get pigeonholed at Ottawa, let us admit that quite frankly. On the other hand, this system of administration for which we, as Canadians, are responsible is centered at Ottawa in the division of Indian affairs. Therefore, there must be that element. However, if you had a process of development, a process of steps forward, it would encourage the Indian just as the work of the conservation of muskrat and beaver, one of the very successful steps in the division of Indian affairs, and would direct them into a course of active Indian participation. You have not to re-win the confidence of Indians in not only the good will of the white man and the administration, but there are active steps going on so that that good will is taking tangible form not as a government hand-out but as an active participation in which the Indians are playing their part.

*By Mr. Charlton:*

Q. I am in such hearty agreement with the professor that I have only a couple of questions to ask. One has to do with the franchise. I take it, professor, that your ultimate view would be to assimilate the Indians with the white people and do away with the reserves ultimately; or was that your idea?—A. Mr. Charlton, I cannot answer that because "ultimately" is a long time. As an immediate step I should like to see a legal mechanism whereby an Indian may vote and have the right to citizenship. Not all Indians; I am thinking of men who served overseas. You know the type of man. We are in agreement on that. I want to see him have the vote without sacrificing his rights on the reserve. Now, you may say that I want him to have his cake and eat it too. I know that criticism can be levelled, and I accept that.



*By Mr. Blackmore:*

Q. Why should he not?—A. That is what I feel, sir. I think that as long as he has a sentimental affection for the area from which his ancestors came and to which they belong, that matter should be considered. Remember that to most Indians the idea of owning land is a new and curious idea. Most Indians do not own land; they belong to the land. It is the land that their ancestors had from the beginning of time. I am thinking particularly of British Columbia and in varying ways in different parts of the Dominion. Land was not a saleable commodity; the Indian belonged to it rather than it belonged to the Indian. As long as we have that point of view I think that makes the strength of a group have a focus somewhere within the tribal area, and I see no reason why it is not possible to retain that while the individual Indian with adequate knowledge and so forth becomes enfranchised. Now, ultimately, in the future, it may be that these reserves would change their status, would become almost tribal centres. I see no reason why they should not be taxed in the same way, perhaps, as other parts are taxed. I do not think it is in the best interests of the Indians that extremely special privileges should be given, but whatever is done should be done not at the whim of the government to the Indian but at the wish of the Indians themselves in the future.

Q. May I suggest that that word "focus" be changed to "haven"—tribal haven. In many cases the Indians do not wish to lose their identity. I am in hearty agreement with what Mr. Matthews said regarding self-government, and I think that the ultimate view is to have a local government similar to that in any other municipality. In view of the fact that there are so many Indians who do not want to lose their identity they are fearful that we will take away their reserves and that might cause a lot of resentment.

MR. MATTHEWS: I was not advancing the idea of having the reserves taken away when I asked that question.

MR. REID: I listened to your remarks, Professor, and I was sorry I could not be here all the time you were speaking, but with most of what I heard I am in hearty agreement. I was particularly struck by the statement you made with regard to the melting pot. I do not know what experience you have had with melting, but I have had considerable; I was in former days a metallurgist. In the mixture of metals there are elements both good and bad, but they are all there when the metal solidifies. There are some elements there that should be out, and there are some elements that make for good strong metal. I am speaking particularly of steel. I want to say this before I ask you my question. Whether we like it or not and whether you agree with me or not, there are certain types of individuals—white men, black men, red men and yellow men. Why that should be and why that is so, we do not know, and I am not going to question you on that. I am thinking of the melting pot in the United States and in this country. All nationalities entered the United States and Canada and later became one distinct type; but in the United States there is one element that has not fused. True, they have contributed greatly to the American nation, but the racial barrier is still there. Some day the question may arise—that is the question of the blacks and the whites—and the contribution of both has been great to the making of the American nation. Now, I am thinking of the future of Canada, and here is the problem that is troubling me: Are we allowing in this country distinct groups to grow up for all time? I have held to the view, rightly or wrongly—although I have been accused of racial mindedness—that there are certain races that should not be in this land because they cannot assimilate with us. I have taken a strong stand regarding the Japanese. If you allow those groups to grow you allow them to develop their racial traits and characteristics. Now, you come to the Indians—and I am thinking of your speech this morning, which was splendid—are we for all time to keep the Indian in Reserves off by himself? What you said about



the Indians' life is true. I am not altogether sure, Professor, whether his life has not some advantage over ours. My question to you is this: What would you say to the fusing of the races; how can they become assimilated? I am not thinking of the present, I am thinking of the future. I am thinking of the impact over the years of the white man on the Indian. Should we allow them to stay as they are or should we mix them up with our own people, and if we do what will the result be? I do not know if I have made my question clear. I am wrestling with this question all the time, and so far I have not come to any definite conclusion.

The WITNESS: Well, sir, I welcome Mr. Reid's remarks. I am afraid that, perhaps, I failed to make myself clear on one or two of the points which Mr. Reid has raised. When I think of the future I repeat that rightly or wrongly I see no possibility whatsoever of different groups of Indians surviving in Canada or indeed of any other small groups anywhere else in the world surviving indefinitely without merging and mixing their traits and other characteristics. That cannot be in this atomic age. Sentimentally I regret, and perhaps otherwise, the fusing of Indian ways of life, but I think those ways are passing and are bound to pass.

Now, with regard to mixing and assimilation, may I say that I would question whether there are more than a handful of full blooded Indians anywhere east of the Rocky mountains. West of the Rocky mountains there is still a tremendous amount of biological intermixture. If you take eastern Canada—the Maritimes, Quebec and Ontario—in the early days there was a great deal of biological intermixture, and the children usually followed the mother's line and were brought up as members of this tribe or the other tribe. Biological mixture takes place and has taken place. May I use this illustration? If I look around this room I see a diversity of physical types among the members of this committee. There are fair haired people, black haired people, tall people, short people, fat and then people—yes, and people with no hair. We are actually a very mixed biological population sitting around this table. Yet I am perfectly sure that no member of this committee condemns his neighbour because he has dark hair or fair hair. There was a time when fair hairedness was a mark of the devil, when the Anglo-Saxons raided the British coast and the Jutes and the Danes came to Britain. Fair hair and blue eyes were the sign of the devil, and there was nothing else to it.

*By Mr. Reid:*

Q. I mentioned four distinct types. Is there any instance outside of Canada of intermarriage that has taken place between the Asiatics and the whites and if so has this not been to the deterioration of both?—A. No, I do not think so, sir. I would also say that as a biological fact I cannot agree with you that there are four distinct and different races of men—white, black, yellow and red. We have found every degree of intergradation between them, and every degree of intermixture has taken place between them. If you take the black and white people you can see a tremendous difference in the extremes, but along the shore of North Africa you have the intermediates. It is possible to go from the blackest black to white with every intermixture.

Q. We had an experience with the Japanese in British Columbia. You said we were a mixture, and that is true. I was speaking of your reference to the members of the committee. Our fear was that the mixture with the Japanese blood would lead to a development along one line only. The progeny of a white and Japanese marriage were considered oriental. Our fear was that the Japanese would assimilate us and we would not assimilate them, due to the fact the blood stream was more pure, if I should use that word, mongolian. Now, what marriages did take place out there prove that fact so far as the children

are concerned. You can take a man from Sweden, a man from Norway, a man from Germany and one from Scotland, England and Ireland, mix them all together and they would appear more or less the same. However, when it comes to the oriental, there is quite a difference. I am interested in this subject because it is a fear that I understand?—A. Yes, but I would repeat, sir, that so far as the Indians are concerned, there has been a great deal of intermixture in the past. There is no doubt that there is an appreciable amount of Indian blood in a great many families in all parts of Canada, whether it is generally recognized or not. They may know it or they may not. I would say quite definitely so far as the Indians I have known are concerned, that the intermixture of Indian blood has, in no sense of the word, been detrimental. I will not say it has been beneficial, that it has been one or the other. In the same way, where you have a marriage between English and French persons, if something goes wrong you do not know which side to hold responsible. In the same way, Indian blood has had no appreciable effect either for better or for worse upon the groups in which it has been found. This was particularly true in the early days. You had a great deal of intermixture in northern Quebec and Ontario as well as in the United States down the New England coast. It does not seem to have any either good or bad effect.

Q. From that answer, I take it you would leave the Indians free to mix with the whites of the country rather than keeping them on the reserve?—A. I do not think keeping the Indian on the reserve is either feasible or desirable in this day and age.

The CHAIRMAN: Mr. Reid, can you be back at four o'clock? We will meet in room 368 at that time, if it is agreeable, and we will adjourn now.

The committee adjourned at 1.05 p.m. to resume again at 4.00 p.m.

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### AFTERNOON SESSION

The committee resumed at 4.00 p.m., in room 368.

The CHAIRMAN: On my list of those who have yet to ask questions, I have the names of the following members: Mr. Reid, Mr. Harkness, Mr. Castleden, Mr. Bryce, Mr. MacLean, Mr. Matthews, Mr. Lickers.

Since Mr. Reid and Mr. Harkness are not here, it is your turn Mr. Castleden.

*By Mr. Castleden:*

Q. I was very pleased with your presentation this morning. I think you have placed our problem very clearly before us. I believe our duty is to bridge the way from wardship to full equality and still leave the Indian his right to those qualities which are inborn in him. You put a great deal of stress, I think rightly so, on the need for understanding, the need for mutual confidence and the need for us to create within the Indian his trust for the white man. Would you say that is not a matter of restoring his trust in the white man? Do you think the Indian ever had trust in the white man?—A. Yes, I think in the early days, definitely. If I may enlarge in answering that, sir, I would say that in the history of Indian-White contact along the frontiers in every part of Canada in the last thirty years of the last century and perhaps the first ten of this, particularly the period when, by and large, the frontier was expanding and people were pushing in, there was a considerable amount of pressure movement, exploitation and a rapid changing of attitude. The Indian did not



know where he stood. By and large the administration was handicapped at every turn by the necessity, upon which I touched this morning, for centralization in Ottawa. It meant a long period between the contact and the administration. I am going to make a rather dangerous statement but one which I will make very carefully. During that period and, indeed, later the white men who were in contact with the Indian were frequently of rather poor quality. Please do not misinterpret me. I am not saying every white man who did so was of poor quality, but around the edges of a country you get some pretty tough characters who, in many cases, do not lend distinction to the white people. Conversely, you had certain Indians who were tending to follow the white man's way, who were looking for whisky wherever they could get it. They, too, had broken away from the tribal attitude of both whites and Indians. In that situation the Indian inevitably lost confidence in the white man. Furthermore, you had among the hunting Indians of the north, the white man going in and cleaning up on the fur instead of the old safeguards of the wide hunting areas which were claimed by all Indian groups, not according to our standards of ownership, but still very definitely claimed in their minds. This broke down confidence. In the agricultural areas where you had Indians who had been farmers under the digging stick and stone age technique for generations, seeing the white people in the vicinity make money right and left with much superior agricultural implements, superior methods of marketing and so forth, the Indians said "the government promised us this and that and everything. Why isn't the government living up to it?" There was a break down of confidence.

I think one could expand that into terms of the fishing industries on the west coast. I am in no position to speak of the maritimes. I do not know the Indian problems there so have no opinion which is worth anything.

Q. Your study of the Indian would lead you to believe, I think you mentioned this morning, that basically he had a lot of very fine qualities. I think it was stated by one delegate here that there was so much christianity in the Indian's own religion he thought it should be preserved. The motto of the Indians in the west is "help thy neighbour". I think probably you know yourself the Indian will share what he has with others who are in need. He is, really, a good Samaritan. Do you think it would be harmful or good to permit these people to have the freedom of their own religion where they wanted it? Would you advise this committee, we will say, that we legislate so that where the Indians want it they should be allowed to practice their own religious beliefs?—A. I wonder if the best way of answering that is not this way? As I see it, with the spread of christianity in all parts of the world, christianity has undoubtedly been affected by existing beliefs in certain areas. Take the christianity of the highlands of Scotland, my downright presbyterian ancestors, and you had a different variety of christianity than there was, let us say, in the south of France or in the eastern Christian church and so forth. Think of the spread of christianity to-day in China, for example. The native Chinese christian church is not going to be a direct copy of the New England Missions which were there in the first place or any other denomination of christianity.

To me, christianity is big enough to embrace the points of view belonging to or incorporated from earlier faiths. Otherwise you would have a much more uniform christianity than we have to-day. I have put it rather bluntly, but I trust my meaning is plain.

To the Indian, this is true. Every Indian tribe about which I know anything in Canada, I would say among the older men and women with whom I have come in contact, from what they have heard from their parents and grandparents, religion was absolutely a dominating force in their lives. The greatest thing to the Eskimo was a person who had experienced a vision. The same thing was true of the different tribes on the plains and out on the west coast. I can give you one little illustration from an Indian whom I knew very



well and who, incidentally, was one of the best christians I have ever known. He took his religion extremely seriously and was governed by it. He told me one time when he had been in hospital down on the coast, a young Indian boy who had been injured in a logging accident was brought into the hospital. He was from another Indian tribe and he spoke no English. The hospital was manned by English speaking people. This Indian was called upon to go and speak with this boy. He found him obviously dying. He could not say much. My Indian friend said he wondered whether he had been saved. As I say, the man was a very good christian. He said, "As I looked at that boy, I looked up and I saw the Holy Ghost looking over the back of the boy's bed." I am afraid I rather blinked, not too obviously I hope, and asked what he looked like. "He was dressed in very high class white man's clothes."

What had happened was, my Indian friend who is a very devout Christian was in an extremely emotional state wondering whether this boy was going to be saved or not. Under that stress he pictured what one might very well call a vision. It was clear to him. He was not exaggerating. He had seen that or he believed he had seen it which amounts to the same thing. I give you that more as an example of the way supernatural experiences are close to the Indian people. In the old days, they had visions. They expected visions. They expected supernatural help at every turn. I always felt I never understood the Old Testament well until after I had worked among the Indians with whom contact with the supernatural was accepted, not as a thing apart, but as an integral part of their lives. Therefore, I think the faith and strength of the supernatural is a thing which the Indian can carry over from his own religion to a strengthening of his Christian attitude.

I would say further that is one of the things which has led to a feeling of breakdown and frustration of the Indian. The stronger his own religion was, when he found it was useless in the white man's world, the greater was his feeling of loss. He was like a ship without a rudder. I do feel one of our greatest problems to-day is to strengthen the religious attitudes and religious activities of the Indians, even though sometimes they take the form of group activities and group actions which are not easily translatable into our point of view and particularly into our economics. It is contrary to our economic principles to have a group of people going off for a religious ceremony for two weeks. The white man tends to say, "Well that is old-fashioned rubbish." It meant a great deal to the Indians. I am afraid that is a long-winded way of answering your question, sir.

Q. I gathered from your statements, too, that the Indian is a natural conservationist?—A. That is correct.

Q. Do you think then it is possible for us properly to reform the Indian Act so long as one of its clauses defines a person as being any individual other than an Indian? You would think we ought to give the Indian the status of a person. You probably know from your contact with the Indian that one of the things which has broken down his trust in the white man has been the fact that he feels his treaties have been violated under the Indian Act as it stands to-day. Indian representatives who came before us brought with them big medals which they had received from Queen Victoria. They constantly referred to their treaties. In trying to administer as best we could under the old Act we have placed the Indian Act over everything. What would you advise this committee to do with regard to Indian treaties so that we could fulfil what we think is our obligation to-day and restore the trust and confidence which you say the Indians must have in us, with which I agree?—A. In some cases, though not in all, it would be possible to enlist the co-operation of the Indians themselves in revising certain treaties. By and large the treaties—Mr. Hoey knows the history of them far better than I do—but most of the treaties go back to the

last century. Since then much water has gone under many bridges. What is called for, as I see it, is not an abrogation of treaties, but a revision of treaties in the light of changed conditions. If that is done entirely from above by an Act of parliament, by unilateral action, the Indians are going to say that they have been robbed. Human nature being what it is, I think they are going to say and would be justified in saying that, no matter what advantageous terms may or may not be given to them. If, on the other hand, it is possible to bring groups of Indians into a virtual round table conference to work out the adjustment of treaties in the light of modern times, that is the ideal way of doing it in my opinion.

You may say, sir, that is impractical, and I recognize the difficulty. I do not think it is hopeless. It has been tried in the United States with a fair amount of success in a number of cases. You would meet Indians who are definitely objectors to everything. You would meet Indians who wished to co-operate. You would meet everything betwixt and between. I would be afraid of unilateral legislation increasing in the Indian a fear that the white man is just administering for him without consulting with him. Needless to say, in political history, there is nothing more dangerous than one government legislating for others. The Boston tea party, etc., are cases in point.

It is worth, in my opinion, a tremendous amount of time and effort to bring the Indians into such a discussion, even though it may make the discussion much more long-winded and even though the final result may not be as perfect as if it were put through by a dictator. Dictators can often do extremely good things, but I think most of us are opposed to dictatorship.

Q. Another thing which I feel is causing distrust is the fact that inside the organization of administration the Indian has so little avenue of appeal against decisions which are made. He has never felt that he has the power to appeal on his treaty rights; and again we find Indians giving evidence before this committee stating that they want the rights which they thought were fundamental and belonged to them; that they had difficulty in having their cases heard properly and appeals against decisions made by arbitrary agencies. I thought you might be interested in saying something about that.—A. There, as I see it, is one of the great dangers of extreme centralization in Ottawa. I am not arguing against that as an historical necessity, but I think that can be obviated to a great extent by better-trained, more experienced administrators in the field, and perhaps by a larger number of, shall we say, travelling inspectors. I do not know the exact set-up,—the number of inspectors available at the present time,—but I had the opinion that it is too small. I make that statement without knowing the exact numbers. But I know many Indians feel, as you say, that the Indian may indeed only see his agent once or twice a year in some of the more isolated districts in the north; and he is mother and father and everything to them. He has a tremendous responsibility, and if he is the wrong type of man the Indians are in a thoroughly bad way. I am not saying for a moment that the Indian agents are a bad lot. Some Indians make that statement. But I do see the problem of administration in getting the right men for that position and it is one of the most difficult problems in our Canadian Governmental set-up because he is the person in contact with the Indians. If I might explain what we do and say in our form of society; the person who feels that he has been ill-treated or pushed around or something, has a variety of ways of making his grievances known. He may do it by going to see his local member, or the person whom he thinks should be his local member. There are a variety of avenues. The average Indian is definitely handicapped in contact with the white man, so he must go either to the Indian agent or to the missionary or in some cases to the resident trader. If he goes to the Indian agent he feels that immediately his case is biased. He is complaining against



the man who is in charge of it. If he goes to the missionary, he may perhaps be religiously opposed to the missionary. I do not say he is, he may be. The missionary is not in an ideal position to give disinterested advice. And the Indian continues to sit back and feel that he is being pushed around and there is no way by which he can get it out of his system. That is, I think, why you have among the Indians a feeling of irritation and a feeling of grievance and a feeling of dissatisfaction; not so much for the individual as with the system, and they don't quite know how to make themselves heard, to make themselves vocal. They have not had our experience in laying grievances before the courts, or this, that and the other thing; and all too often the person with whom they are in contact, the storekeeper or the trader, is not again a disinterested individual, and he is frequently the poorest quality of white man—again not always, but all too often. I keep hammering at that because to my mind it is vital to the whole thing; all the tremendous influence of the Indian agent over the people. I think there are very few individuals in Canada who have as great an influence over the lives of their fellow men as do the Indians agents, particularly in some of the more isolated districts. As I said before, he has to be guide, councillor and friend; and he has to keep a large amount of forms and documents going; he has to be an agricultural expert; he has to be a mechanic; he has to be everything; and it is a man-sized job that calls for a very high degree of skill in the handling of human beings in the process of transition.

Q. I think you are facing the fact that there actually is no proper machinery for the appeal of an Indian for redress against an injustice; whether he thinks there is one or whether there actually is one, it all amounts to the same thing. Would you not advocate or endorse some scheme whereby Indians themselves should have more self-government, should be trained in self-government, that the band and the council should be given wider powers?—A. I would.

Q. And that they should be trained as to how to conduct meetings, and how to exercise powers similar, shall we say, to a municipal council?—A. I would agree on that, and that is certainly one of our goals in a democratic government; that is, to try and bring more and more people into it. And, I think that is perfectly feasible. May I take one illustration of that: the League of the Five Nations, later known as the Six Nations, established what was in effect a league of nations back in the stone age, and that league held the balance of power in North America for 250 years. Representatives meeting at Albany urged on the scattered settlers in New England, the English-speaking colonies, that they (the colonies) should unite with and enjoy the support of the combined strength of the union. It was the Indians who were well-organized and it was the British white settlers who were not. That was one of the strongest reasons for the formation of the United States of America. Now, I am using that illustration of the league of the Iroquois to show you that even among the Indians they have made great progress in governmental organization, and by that league they show that they had a skill in politics that few people ever attained. The league of the Iroquois was the only organization of which I have ever heard that lost in warfare more manpower than they ever had in their league, and they came out at the end stronger than they were at the beginning. That was done through the process of adoption of conquered people; prisoners of war and so forth. They were adopted into the Iroquois and became whole-hearted Iroquois. You had there a very strong skill in political organization. And another thing, you had a power of oratory that few white people have ever acquired. Our dependence on writing, of course, stops our ability to speak. Radio is perhaps going to help in some way in bringing that back. But you have undoubted abilities there, if an organization can be worked out between the different administrations in dealing with the



Indians. I think the situation is not by any means hopeless. It is idle to say that other steps should have been taken in 1870, in 1880 or 1890. Many things should have been done that were not done. And I think, sir, that your committee is opening up a completely new avenue, and one thing for which I would plead very strongly is to bring the Indian into whatever is done, even though that means a slower development and slower series of steps than perhaps you white men would like to take.

Q. You advocate the encouragement of the formation of Indian organizations provincially?

The CHAIRMAN: I might remark, Mr. McIlwraith, that our difficulty in bringing the Indians together is the question of which ones to bring in.

The WITNESS: I was just going to say, in answer to your question, Mr. Castleden, the one which you just raised, in regard to provincial organization; I was going to say that I would not advocate organization of tribes on a provincial basis. That is not in keeping with the old Indian attitudes. The provinces, after all, have nothing to do with geographical orientation of Indian tribes.

Mr. CASTLEDEN: The provinces, of course, are the white man's geographical distribution of land areas.

The WITNESS: What I would say is the rather—

Mr. REID: Locality certainly has something to do with the Indians. That is particularly true with respect to British Columbia. Under the British North America Act we gave them certain rights; and in British Columbia we have the proof that Great Britain has been most generous towards the Indians; so your statement is not altogether correct.

The WITNESS: Now, wait a minute; I am not just sure there, sir, whether my statement is inaccurate. I am not sure that I made myself clear, Mr. Reid. What I wanted to bring out was that the life of the Indian centred on a tribal basis which might or might not correspond to modern provincial bases, but usually did not. As I recall it you have in British Columbia, I suppose, eight or nine coastal tribes who differ greatly from the Indians of the interior. Further inland, where the prairie provinces now are, the tribal relations among the Indians had little or nothing to do with the geographical boundaries of the provinces as such. I would say that in bringing the Indians in and encouraging them in administrative work I would rather see it done on a tribal basis, with a feeling of pride in their own tribe and in their own tribal band than on a basis of provinces which are simply a white man's development. I feel that there is a tremendous scope for encouraging Indians to be proud of the thing their people had done, but that should be tribal rather than provincial.

*By Mr. Castleden:*

Q. Would you think then that it would foster unity among the Indians if their tribal organization was carried on; I mean, if their tribal organization had been carried on and there had been more tribal organization; that the Indians should be encouraged to come in and speak with one voice, say, for the whole dominion? I suppose there we would have the same difficulty as far as Canadian Indians are concerned when it came to the matter of the boundary between Canada and the United States; tribal affiliations would recognize no such boundary.—A. I do not like that point of view, sir. The differences between, let us say, the Eskimo in the north and the Iroquois in the south are so great; they are completely different in viewpoint. And my feeling is that for the development of tribal pride, tribal co-operation between the groups of Indians and groups of white men; that, of course, would stimulate a feeling of general Indian pride. And, remember, there was never anything approaching a united Indian group in North America.

Q. Outside of this league of nations of the Iroquois?—A. Outside of the Iroquois of old; and the Iroquois and the Algonquin hated one another in the same way, shall we say, that the Macdonalds and the Campbells hated each other in the western Highlands. I do not think there is anything to be gained in trying to foster or stimulate unduly a sense of Indian nationality as such. I would rather see pride of different Indian groups in their own tribal history and tribal skills, lore, and so forth. A suggestion that I throw out was given to me by one of my friends at one time was the possibility of Indian representation in the government of Canada in terms of one or more Indian senators. I am not advocating that scheme. I just throw it out as a thought that might be of some interest to your committee.

Q. I think the committee has thought also that perhaps a standing committee on Indian affairs could meet annually.—A. I do feel the desirability of flexibility in regard to Indian administration. I am frightened of an Act that was entered into in 1870 being like the law of the Medes and the Persians, without promise of any change in that law notwithstanding the fact that the background in which it was passed has in itself been changed.

Q. That is quite sound. But you do feel that the Indians themselves should be encouraged to develop in tribal groups so that each would be able to speak effectively in so far as the particular tribe is concerned?—A. So far as the tribe is concerned, yes. I have stressed the tribes rather than Indians as a whole, and I do not minimize the difficulty of discussion with the tribes, because it is going to be a slow business.

Q. Merging a lot of the old treaties and the records with regard to them is a difficult problem.—A. It is a difficult problem.

Mr. CASTLEDEN: I think that is all I have, Mr. Chairman.

*By Mr. Reid:*

Q. Mr. Chairman, I have one or two further questions I would like to ask the professor. One of the things to which he referred was the number of evils which the white man brought with him to the Indians. Did they not however bring some good things to the Indian as well? I think we all admit that the white man did bring a lot of good to the Indians over the years. For instance, where would the Indians be, especially some tribes, if they had not had the protection of the white man? I have knowledge of things that happened in my own section of the country, one of which came to my own attention—I am not a very old settler in this country myself, I came here in 1909—I remember the Indians in my own district not very long ago before I came kept constant watch over their habitations in case the Haidas came down and wiped them out. There was one occasion on which they were attacked by the Haidas who came down the coast hundreds of miles. Since the white man came he has brought them peace, at least. There are tribes who might have died out. A lot of them did die out for lack of food in the early days. If the white man did bring evils in the shape of certain forms of disease, one also has to admit that the white man brought great benefits, and that the Indians benefit from him a great deal more than they would have had they been left to themselves.—A. With the first part of what you say, sir, I would agree entirely; and I did say this morning that in respect to certain things in the Indian way of life that are desirable. I would also point out that any idea of a golden age was sheer rubbish. I personally have no desire whatever to spend a winter in northern Ontario in a birch-bark wigwam, getting my food through a hole in the ice. I say that does not appeal to me at all. And I would safely say that the white man has brought many advantages to the Indian. On the other hand, we white people must take responsibility for having brought a great many evils, and for having dislocated the Indian way of life, for better or for worse. And, with regard to warfare; I certainly would never dream of arguing that warfare did not exist



in North America at the time of the European contact. It did. But I think it is extremely doubtful if it ever existed on as large a scale, with anything like the equivalent of atomic bombs and high explosives and wholesale slaughter. One must remember, I think, that warfare increased tremendously after the white man came because the tribe which was in contact with the white man had a few better guns and a few better knives, and therefore was better armed than the other tribes. Well, it has been true in the course of history, as I see it, that any tribe or nation which is a little bit better armed than its neighbours has an absolutely righteous cause for going to war. However, I am not arguing the ethics of that statement, that has been true throughout the long course of history. The incoming of the white man and the coming in of new weapons increased warfare tremendously, I think there is no doubt about that. The Haida became wealthy through the sea otter trade and a lot of them got guns. Their tribal development was a matter of economics rather than philosophy. Their abilities increased tremendously over what they had before. Another effect of the white man on the Indian is shown by this. I was excavating in the Huron country recently, and it was apparent from the skeletons we found, and the condition of the teeth in them, that the people of that day must have had a tremendous amount of toothache. The Hurons certainly suffered in the early 17th century. It was apparent that the tooth structure had deteriorated in many parts of North America, no doubt due directly to the introduction of sugar and so forth among the northern tribes. We have countered that to a large extent by our dentists. It was a two-way traffic, we brought both good and evil.

Q. Do you know anything about this Metlakatla tribe?—A. A little. Off hand I do not think that I would be justified in venturing a statement. I would have to check up my dates. I do not know my dates well enough.

Q. I was going to ask you if the same progress in civilization could have been achieved by the rest of the Indians as was achieved by the Metlakatla band?—A. Oh, I would say yes. The Metlakatla, they were Haid, I think, were they not?

Q. Yes, they were Haidas.—A. And they went to Alaska in '46 or '48, under the leadership of a very powerful individual; but there is no doubt whatever that they were of the same group and had exactly the same background as other coastal tribes, not one whit better or worse.

Q. I realize that their development has had a direct relation to the fact that they live on the Pacific ocean and that they had the benefit of good food and plenty dependable food, in the fisheries, and so on, which placed them in a better economic condition than that of many of the others.—A. That is true, they had a dependable food supply and didn't have to keep running after it. It came up the rivers every year.

Q. I was wondering if you had had an opportunity of examining closely what has been done there and whether it could be applied to other groups of coastal Indians. I realize that you could not apply it to all Indians of the interior, but I think we could to the advantage of many tribes. Theirs is not an isolated instance. We have other instances of Indians who have done well. Not all of them are the worse for having come in touch with the white man.—A. Might I say, sir, that I could look up the references if you are interested? There was an article on the whole Metlakatla work which appeared in the *Journal of Applied Anthropology* about a year ago. That is a journal devoted entirely to the study of anthropology in administration; that is, how to use the knowledge in terms of adequate adjustment. This was a very thorough study of the Metlakatla from that point of view. The study was made by a specialist of the American school. I read the article but I am not familiar with the dates.



Q. Now, here is another point. The Indian Act defines the word "Indian." We have had considerable evidence as to what percentage of Indian blood a person should have to be entitled to be classified as an Indian. I wonder, Professor McIlwraith, if you would give us an idea as to what proportion there should be in a person for that person to be considered as being an Indian. I know in my travels, particularly last year, one could not help but come to the conclusion that there were certain persons apparently belonging to Indian tribes, children, who at least appeared to have very little Indian blood. I am wondering whether to classify them as Indians, or just where we should draw the line.—A. Well, you have put your finger on one of the most thorny problems of all. In the first place, sir, looking at it from the absolute biological basis, first of all I could not, and I think I am right in saying that no human being can look at an Indian and by any system of measurements or blood tests or anything else say whether that individual is 100 per cent Indian blood or 80 per cent Indian blood or 40 per cent or 50 per cent or what not. You may have intermarriage between an alleged full-blooded Indian and a full-blooded white in which the offspring are predominantly the one group or the other and in the next generation you may find a throwing back to something else. Just as in our own society you know how often among whites you will have a fair-haired blue-eyed child following the line of a grandparent or a great-grandparent. Actually, in my opinion, there is no way by which you can look at or measure a man and say he is 60 per cent Indian or 60 per cent white.

Mr. HOEY: I notice there are cases where the qualification is put at 50 per cent.

The WITNESS: As far as I know the only way they can get to determine that would be by having a knowledge of the pedigree of the individual concerned.

Mr. REID: Would it not show up by blood test?

The WITNESS: I do not think the blood test would work on that, as far as I know. I know Dr. Buck who is a Maori of New Zealand. He is an individual who has the background of being half Maori and half Irish.

Mr. REID: That is a good combination.

The WITNESS: He was appointed a minister in New Zealand and during the war he served with great distinction as a medical man, winning the D.S.O. in the field. He was really a very great man. A great deal of work has been done in New Zealand, but they have a much more simple problem of adjustment there than we have in Canada because the area is relatively small. They do not have the same wide range to their problem as we have here in Canada. You have one type in British Columbia and there is a wide variation between them and the type you find in, let us say, eastern Canada, and then you have almost the isolation of the Eskimo. I do not think that on strictly biological grounds it is feasible to define who is an Indian and who is not. Therefore it seems to me that this is a sociological rather than a biological problem; that it is the individual and their mode of life; what his sentiments are, what his thoughts are, and who he is. That determines who is an Indian stronger than blood does. I mean, you have got to have some Indian blood in his ancestry; or conceivably by adoption. I would not rule out the possibility of an individual becoming an Indian. There were a number of white people who became completely Iroquois-ized in the 18th century by the process of adoption. They became completely Iroquois. I had to use a term that does not exist, but it is truly a question of who is and who is not an Indian; and that is on the basis of those whose mode of life and thought and sentiment are Indian, rather than try to do the impossible and try to define it by terms of strict biology.

Q. May I ask this question then? I am very glad to be here this afternoon because I have been wanting to ask this question of some anthropologist, at this time particularly, because we are trying to find out who is and who is not an Indian. Is there any difference so far as blood is concerned between the children of an Indian woman marrying a white man—under our law her children are recognized as being white—and a white woman marrying an Indian—under our law her children are considered to be Indians, and she faces practical ostracism by so doing. Is there any difference between the offspring as a result of either type of marriage?—A. I would say that there is no difference whatsoever. And I would go further and say that I think legally we are in a very curious position when we say that when an Indian man marries a white woman the child is an Indian, and that when a white man marries an Indian woman the children are white. Most people viewing that objectively would just laugh at it and say that is a curious peculiarity of the law. I will give you a parallel from our own society. If John Smith marries Mary Brown the children are Smiths, although they are just as much Brown as Smith as far as blood is concerned; and, if the process is reversed you have the other side of the picture. The same argument holds in regard to mixed marriages of whites and Indians.

Q. I am very glad to have your opinion on that. That is just what my own views are on the matter; that is, that if by some process we recognize and allow the Indians of this country to go to our schools with the white children the result would be that in a generation or two or three you would not be able to tell them apart; and I am going to prove it just by what you have said.

I know of many cases in my own district where there are men and women whose father was a white man and their mother an Indian. They are accepted in society and looked upon as whites. They live exactly the same life as anyone else in the community. Now, if it had been the other way; had an Indian married a white woman, we would have ostracized her to some extent. I am glad to have your views, Professor, because I believe that the sooner we take the Indian out of the reserve and allow him to mix with our people and recognize him as such, the sooner the whole problem will be resolved.—A. I am not arguing against that. I think that is much the point I was trying to bring out this morning—the fact that we do not have any inherent race prejudice. This race prejudice occurs where one group or the other lives a different mode of life; but once the members of another group are living the same type of life and have the same attitudes you have no problem at all.

Q. From my reading of the history of the Indians I have noticed that when France took over the country she made no provision at all for the Indians, she simply took the attitude that they were a conquered nation and it is up to them to find their own reserves. Then after the battle of the Plains of Abraham the British came and as we know the British adopted a new and more humane policy. I have often wondered in my mind about the rights or wrongs of these two policies from the humane point of view. I have wondered if the Indians had been forced to mix with the white people from the beginning, if their place in the community would not have been as good if not better than it is to-day. I once thought that the treatment they received in the early days in Quebec was somewhat callous, but I am not so sure now that our treatment has been any less callous since we have put these people on the reserves. Because we have simply said, "There, you are an Indian, and you will have to be nothing else but an Indian all your days."

*By Mr. Lickers:*

Q. As far as the Northwest Territories are concerned, Professor, there are no reservations. Do you think it is a good policy to treat the Indians there as though they were any other inhabitant of the country?—A. Provided you have



the right type of administrator and the right type of school. I believe very strongly—I have said it before and I say it again—I am absolutely convinced that the Indian has just as much intelligence, capacity, capability, as anybody else. You get good Indians and bad Indians and you get good white men and bad white men; I think you have the same range of capacity and the reverse running throughout. Where you have to have a padding and a protection is where you have groups living side by side with a different standard of living which comes from a different background. Then inevitably you have a white superiority complex. It is one of the disagreeable characteristics of the white man that he does develop a superiority complex with a great deal of ease, whether it is in regard to Indians or anybody else—white or Indian; and where you get that you will find that an Indian child going to school would, I think, be looked upon as a dirty little Indian or as someone coming from the other side of the tracks, or something like that, and he would be in an inferior social position. What is needed is a sufficient safeguard and protection so that the Indian is able to take his normal part in the life of the Northwest Territories or the Arctic or wherever it happens to be, and once he is in that position Indian children and white children can and do get along perfectly well together. I think the separation of them in schools in the backwoods would be a very dangerous policy. It would lead to duplication and it would lead to a feeling of rivalry, a feeling of superiority and inferiority.

*By Mr. Reid:*

Q. Would you have the children going to the same school?—A. Mr. Lickers was speaking of the Northwest Territories where there are no reservations. Yes, I think that would be a desirable thing.

Mr. BRYCE: Mr. Chairman, I have listened to all these questions and answers and they do not leave me very much to ask about. I have enjoyed the evidence of the professor very much. Perhaps it is because the professor has ideas similar to my own that I am so pleased with his evidence. His ideas on enfranchisement are the same as mine. I think we have to show the Indian that we are not trying to take something away from him but we are trying to give him something better than he had before. When all is said and done, he is only getting \$5 a year and if he wants to hang onto it, let him do so. But we should be able to blend the Indians into the white man's life without making them give up everything they have ever had and of which they are proud as a race. There is no doubt I have my racial pride although I am a good Canadian to-day. The Indian wants to hang onto these things which he prizes and he thinks that by enfranchising him you are going to destroy all these things that he has had. Now, I come to my question. Do you think that the day school is of assistance to adult education?

The WITNESS: I would say that schools are of tremendous value to adult education. In many cases the place for such teaching should be in the day school, but it should take place in the evening. I am thinking of education, not in the formal curriculum of training; what I want to see is the day school acting as a centre say for dramatic work. The Indians like to act. So do most people, for that matter. In the old days in their religious rituals they had singing and they had dancing and they had group activities. Many Indians feel that the white man lives a cold, hard, individualistic type of life and has lost the group feeling that was so strong among the Indians. He is right. We do tend to be individualistic. We have broken away from it to a certain extent in the field of service clubs with their costumes and rituals and so on. It is an escape, perhaps, in a sense, from the drabness of our life. The Indian misses that sort of thing tremendously. That is particularly true, I think, of the plains Indians. I believe there is a place for the school to be the



centre for drama, for acting, for singing; yes, for education in the broadest sense of the word. I do not care whether that is done in a day school or, better still, in a community hall built by the Indians themselves for that purpose in co-operation with the white man. I think that is one of the things in which the tribe or band group can play its part in co-operation with the government.

Mr. BRYCE: I was rather looking at it from the point of view where the boys and girls come home to their parents every evening and repeat the happenings of the day and create an interest in the parents in the white man's way of life.

The CHAIRMAN: Do you mean something of the nature of the home and school club?

Mr. BRYCE: Yes, indirect adult education. Would you say, professor, from your experience, that the Indian is a natural co-operator?

The WITNESS: No. I would not say that any more than I would say that the white man is a natural co-operator. I would say that you get different degrees among Indians as among white people; but I will make this general statement that if you take Indians on the north coast of British Columbia, for example, the Haidas, you find a very, very strong clan feeling within the tribe. Now, the Haida clans were not of the same order as the Scotch clans, and you had to have a very strong bond in co-operation and friendship within the groups and within the tribe. Mr. Reid said that I did not believe that the Indian was always completely loving, charitable and so on. He certainly was not, but we have a very strong feeling of brotherliness to the members of our own clan, of our family, and we stick to one another tremendously. I think that is one of the reasons why they find the individualism of our economic life very different and why, in a number of places, group activities have, I believe, been very satisfactory. There is a group cannery on the Queen Charlotte islands I believe—I have heard this second-hand, I have no expert knowledge—but I believe it has been satisfactory. Where you can ensure a group of individuals working together, it helps tremendously.

I might, if I may sir, just suggest there is a volume which came out last year published by the Quaker Press in Philadelphia, written by an Indian woman describing her experiences as an Indian of the plains. She was in North or South Dakota and describes her experiences in terms of the problem of adjustment. Virtually everything she says is pertinent to our Canadian prairie problems, but her thesis was very much summed up in the feeling that group action which meant so much to the Indians, was lost in the individual struggles of our economic life. If you wish, I can give you the reference to that volume.

Q. You said you looked from a distance at this problem and did not take sides. Would you agree with me that one of the right and proper things for this committee to do, when it re-writes the Act, is to ask that there be an Indian Affairs Department with no other responsibility but the Indians, with one minister and a deputy minister instead of being a side line of another department?—A. The administration of Indians has as its responsibility the adjustment and welfare of, what is it, between 130,000 and 140,000 human beings. This is a major responsibility of us white people as a whole. I am in no position to say whether that could be handled more effectively by an Indian department under an independent minister. All I would say is wherever it fits into the government administration it is a responsibility of us in Canada as a whole to see that it is adequately staffed and that the goal and objectives are clearly laid down. Whether that is better as an independent department or whether it is better as part of another department, I do not know. I do think it is thoroughly bad to have a department which is too big so that the ultimate officials in charge have too great a variety of responsibilities. I have

seen that, if I may take a parallel, in certain problems in university administration. If you have too many things under one hat all of them suffer. I believe you would be in a far better position than I to say whether it should be an independent department or not.

Q. I had hoped you would have seen your way clear to agreeing with me to back up my argument. I think this Indian problem today is so important and the rectification of it so long overdue, it should have a department of its own.—A. It needs a great deal of help and aid. Whether that comes best from an independent department or not is a matter of government administration. I believe, as I say, you are in a better position to judge than I.

Q. There has been so much red tape. You have a director of Indian affairs. He has to go to the deputy minister before he can go to the minister. There is nothing but red tape. It is enshrouded in red tape. The only solution of the problem I see is to have a department of Indian Affairs which you can hold responsible for getting something done. I have not any more questions, Mr. Chairman; thank you very much.

*By Mr. Matthews:*

Q. You have been quoting from several, I presume, of the most recent scientific books along these lines. Can you give us just two or three minutes of the most recent thoughts as to how long the Indians have been in this country, from whence they came and how and where they first landed. This would give the committee the background material according to the latest ideas?—A. In the light of modern science?

Q. Yes.—A. I would be very glad to do that, sir. There is, I think, no doubt whatever that the ancestors of the American Indian came to the new world from Asia across the Bering Strait. This is supported by physical characteristics, by certain cultural characteristics and the fact that the same myths are current on both sides; certain similarities in the early tools and the whole evidence of linguistics, archaeological and physical characteristics, all join in that. In other words, we can say that the American Indian is a specialized mongoloid; that is, a person of similar ancestry to the Mongols of Asia.

Twenty years ago, one would have stopped at that. To-day, we know a great deal more about it. We know that the earliest Indians—this we know from skeletal material—reached this continent before the high development of Mongol characteristics. The Mongol head has been growing rounder and rounder in the last 20,000 years, let us say. The earliest Indians of whom we have knowledge tended to have a longer head. In other words, they came in before the development of the extremes of Asiatic or Mongol characteristics.

The clearest evidence of the antiquity of man in the new world was found at Folsom, a small locality in northern New Mexico.

Mr. LICKERS: That is just a recent find, is it not?

The WITNESS: It is a find of about ten years ago, Mr. Lickers. At Folsom, Indian remains including a particular type of spear point were found in conjunction with the bones of an extinct bison, not the buffalo of to-day but a bison which belonged to the last ice age. In other words, man was here at a time when the ice age bison were flourishing.

Since then, there have been other finds of these Folsom points, as they are called. They are a particular type of point. I do not know whether there are any in our national museum or not, but there probably are. They have been found quite widely on the western plains. We have a few in Toronto. A few have been found in Ontario. It is an early form of implement.

Then, in the state of Texas, there was found recently a cave in which there is a series of deposits. That is, man had gone into the cave and left burnt bones, rocks broken by fire and so forth. Then, there was a sterile layer



of sand which had drifted in and then another layer of this material and so forth. We found that man was living in that cave before the end of the period when musk-ox ranged that territory. Musk-ox bones were there. Now, it has been a long time since the musk-ox ranged in Texas. It must have been a period of extreme cold, yet man was there before that time.

Going down to the lower layers we found man was contemporary with a giant sloth which has become extinct and the North American camel which likewise became extinct a long time ago. To-day, we can say that the first ancestors of the American Indians must have reached this continent really before the last development of the last ice age and certainly were contemporary with the animals of the last ice age which puts him a very long way back indeed, twenty or thirty thousand years if you like.

On the other side of the picture, there used to be theories going around that man reached the new world from Polynesia, from Africa, from hither and yon. I think it highly likely a few canoe loads of people from the south Pacific reached the coast of South America, but they were too few in number to have any effect on the population of the new world.

Our American Indians came in from the old world in a series of small dribbles across the Bering Strait. This movement, in all probability, continued until the last couple of thousand years. Whatever they brought in from Asia tended to be sieved out by going through the Arctic. You could not bring domesticated animals, except a dog and you could not bring a knowledge of agriculture. The result was man had to start afresh in the new world without the advantages and developments in civilization in the old world.

I think that answers very briefly the rather large question which you put to me, sir.

—At this point Mr. Matthews assumed the chair.

Mr. HOEY: You see, Professor McIlwraith, there is a distinct difference between the prairie Indian or Cree and the Indians of British Columbia. Were the Crees here earlier? What is the explanation for that difference?

The WITNESS: Well, I suspect it is twofold. I do not know which came earlier, the coast people or the prairie Indians. Probably the prairie Indian is a bit later, but I do not know. What I do stress is that in every part of North America you have had tremendous differences. The differences, for example, between the French and the Hurons were tremendous at the time of the French contact in the 16th and 17th centuries. I think the difference between the Hurons and Eskimo, for example, was as great as the difference between the French and Hurons. You have not one Indian problem, you have a tremendous range of differences throughout North America.

Now, those differences are partly the result of environment. You would not expect the Eskimo to live in the same way as the natives of Mexico; that is a perfectly obvious situation. Over and above that, you have had time for biological and cultural specialization to take place. That is a clumsy term, but what I mean is that you have had long enough time for a man's physical appearance to be altered, modified and his whole mode of life to be altered and modified.

Along the coast of British Columbia, I think it highly likely there was a little bit of inter-mixture with the people we call the Ainu, who were aborigines from Japan. These people were a non-Mongol people and were akin to the north European. They were in Japan but were submerged by the Japanese. These aborigines were very hairy individuals with big frames and hairy features. It is significant that along the coast of British Columbia you have Indians sometimes with beards and sometimes with mustaches. Whether that is due to an early mixture with these non-Mongol aborigines of Japan is a thing we may never know, but it is certainly worth bearing in mind.

I was going to say, sir, I am afraid I must apologize for answering your question in terms almost of a lecture or thesis on the origin of the North American Indian.



The VICE-CHAIRMAN: So far as I am concerned, that is just what I was looking for.

The WITNESS: I may say I have just read a collection of first year answers to that question. I set a question, framed in virtually those words to my first year students.

The VICE-CHAIRMAN: Are there any other questions?

Mr. LICKERS: I have a few. When you were talking about enfranchisement, Professor, I presumed you meant the right to vote?

The WITNESS: Specifically, yes, but I also was thinking in terms of the right to have other privileges of Canadian citizenship such as the right to incur debts and the right to drink. I was thinking of a series of rights which, by and large, the Indian does not have at the present time.

*By Mr. Lickers:*

Q. But you would still, so far as the background of the Indian is concerned, as you say, maintain the reserve to a certain extent for some time?—A. So long as they serve as a rallying point for Indian tribal sentiment and pride which is a thing I think should be maintained if humanly possible.

Q. I think that is quite possible to do because over in Great Britain, you still have your Scotland, England and Wales. I believe that could be maintained in Canada at the present time?—A. I think it is perfectly possible. What I am afraid of particularly is, if enfranchisement should be put through en masse or without due safeguards, I am afraid of the danger of the Indian becoming enfranchised and feeling that to take that step he must lose all his Indian pride and Indian background. I think that would be a very real tragedy.

Q. From your study of the Indian's background would you say, so far as his culture is concerned, he certainly has something to contribute to the Canadian way of life?—A. Yes.

Q. I would presume, then, you would agree with me it is purely a question to solve the whole Indian problem?—A. It is primarily education so that the Indian, whose mode of life has become completely altered in the last 300 odd years—

Q. You mean education along the lines outlined this morning?—A. Education, so he is fitted to take his full part in the white man's world. It is rather peculiar that the Indian—I think this is a fair statement—has shown himself perfectly capable of playing a real part in our white wartime world in service in the army, but is still deprived and perhaps not fully adjusted into our peacetime world.

Q. That education, though, as applied to the Indians as a race should be a slow and gradual process?—A. Yes.

Q. Just going over your remarks would you divide them up into, say, three heads? One would be the maintenance of the Indian's culture as it was originally, at least, the best elements of it; then reading, writing and arithmetic, the three r's together with a training to suit his environment at the present time?—A. Yes, I think I would agree to that. I would also feel that in a specialized education use could be made of that which is in the background of Indian life in the different areas. I would say, for example, among the coastal people of British Columbia, where you have a long history of skill in wood carving and wood working, the manual arts, which is part of education, full use could be made of that. Among the Eskimo, you have skill in the use of bone and ivory, Eskimos, without any real training have repaired watches. I know of one Eskimo, in fact I saw a piece of his work, in which he fitted a tooth carved out of a piece of walrus ivory and made quite a good artificial tooth. Among the Iroquois, you have two great skills in government and oratory. I think you would agree on those two points?

Q. I certainly would.—A. Those are specialized skills of different groups which it should be perfectly possible to maintain and develop as the members of these groups fit into our modern Canadian life. I think it would be absolute madness to put down an over-all educational program in which the Eskimo was supposed to learn the principles of agriculture and the Iroquois to study walrus tusk carving, although I have heard of things just about as stupid being done on occasion in some parts of the world.

Q. In connection with the Indian's lack of confidence, would you say that has been partly as the result of the teaching of history as it applies to Indians?—A. I have not thought of it from that point of view, Mr. Lickers. Certainly, perhaps the Blackfoot and the Iroquois are the best illustrations of that. Our history has been written by the white man, that is perfectly true. We have misinterpreted an enormous amount of history. I do not know how much effect that has had on the attitude of Indian men and women growing up in the school. I would have felt a more significant thing in the lack of confidence was the business of the administrator, in the form of the Indian agent, having so much authority in the eyes of the Indians and yet everything having to be referred back to Ottawa and the fact that the treaties cannot be changed. It seems to me that would be a more significant factor.

I know the sentiment of the Iroquois particularly and you were perfectly right in saying that is a more serious cause of the lack of confidence than perhaps I would have tended to give it.

Q. Would you say this, that the white man's attitude in the majority of cases towards the Indian is as a result of history being interpreted wrongly, so far as the Indians are concerned?—A. It is a point which comes into the general picture. I quite agree on that. I meet in my own students' ideas that all Indians rode around on horses and armed with a tomahawk. I have never yet discovered what a tomahawk is. Incidentally, according to the white man, all Indians carried them. All Indians wore feathered head-dresses hanging down their back. If anybody thinks for a minute, how could he go through a patch of forest in British Columbia or even in our more open Ontario woods with a feathered head-dress. The thing is just absurd. It is a faulty generalization. I do think that both the whites and Indians have suffered from a faulty historical approach. How much that is a factor in the feeling of a mutual lack of confidence is a thing I would not care to say. It is one of the factors, undoubtedly.

Q. I was just thinking about the information in the newspapers as a result of the finding of a Huron village near Midland, and the reports in the press that two catholic priests were killed by the savage Iroquois, without giving any background material. Regardless of where christianity was being introduced, there were always martyrs. It certainly was not limited to the Iroquois. That is only one instance. It is also true in connection with the so-called slaughtering of villages by the Iroquois. People do not generally realize that the whites, at that time, were more or less invading people and we were merely fighting to protect our homes. It gives people a wrong slant as to why these things were done?

At this point Mr. Brown resumed the chair.

A. There is an illustration which I find most useful in that regard, Mr. Lickers. I am speaking here as a university teacher. This illustration is in regard to scalping. I find that most undergraduates assume that scalping was universally an Indian practice, whereas, as a matter of fact, the practice of scalping was spread far and wide by the traders in New England. It was a practice encouraged by the whites. I think it is fair to say that, without the white man, the practice of scalping would never have reached anything approaching the extent it did.

The histories have been written by the white man, that is perfectly true. It is only within the last few years that a number of good books have been written on some of these problems of contact between the white and Indian.



Q. It might be a good idea then to change some of our text books which are being used in some of our public schools and high schools?—A. I think it would.

Q. I just want to come down to the question of Indian administration. In your studies of the different tribes of Indians, I presume you found they all had a form of government within the tribe itself?—A. No, in some cases you really did not have a tribe as such. Among the Eskimo, for example, there was no tribal cohesion. You did have a very rigid set of ethics for behaviour which kept the individual acting along certain lines. The force of public opinion was an extremely effective mechanism for seeing everybody did that which was correct in the mores of the community.

Q. Then, suppose someone did contravene one of the mores of the community or of an Indian tribe, what sort of punishment was meted out? Was he ex-communicated?—A. If things got very bad, he ex-communicated himself. He had either to move out while—well, he just had to move out. In actual fact, there was very seldom a movement against tribal mores. I think the easiest way of understanding it is this: in our society, we have a doctrine of the locked door. The Englishman's house is his castle. You go home, lock the door and nobody knows what goes on behind that door. In virtually every Indian community the idea of the locked door was utterly unknown. The door stood open. Anybody passing not only could come in but was expected to come in. It was considered rather rude not to know what your neighbours were doing. If food was being had, you shared the food. It was rude to be an individual.

Now, under those circumstances the child grew up knowing what everybody else in the community was doing. Gossip was rife to a very great extent, whether for better or for worse. I do not know. It meant, from childhood, the individual was exposed to the force of public opinion. This was a force which we met only to a certain extent in the army; that is the only place where most of us ever lived like goldfish in a bowl. In an Indian community in the old days everybody knew what everybody else was doing. Therefore, it was very difficult for an individual to go apart from the mores of the community. It was not that there were any greater principles of ethics or morality. It was just that everybody knew what you were doing. In our society, I believe the thief always hopes he can get away with his plunder, otherwise burglary would not be worth trying. In a small Indian community, based on a relatively simple basis you had no hope of getting away with it. Therefore, the individual conformed to the standard of the community.

Q. I was just thinking of the fact that most of the tribes had a chief. In view of the fact, apparently, they knew how to govern themselves at that time, don't you think it would be a good idea now to give them that opportunity under whatever system they wanted?—A. I certainly feel very strongly that there is room for very much greater Indian participation in tribal matters. I repeat, I do not think it is necessary on the basis of all Indians throughout the province. Mr. Lickers would know better than I. I am not quite sure how the Iroquois and Algonquins would get along at the present time.

Q. I think we would get along quite nicely at the present time.—A. Certainly it would not have been the case a century or so ago. Incidentally, I throw in this remark, that I have met Algonquins who are still very suspicious of the Iroquois. However, if I might use an illustration from Scotland again the MacDonalds and the Campbells certainly did not love each other for a long period, but now they get along moderately well together.

Q. I have one question in connection with health. Knowing the background of the Indians and certain diseases they had before the coming of the white man, do you not think that greater stress at the present time should be put on preventive medicine rather than on curative?—A. I think that is right. I deliberately said very little about health this morning, partly because it is not a field with which I am familiar, and partly because my colleague, Doctor Brown, appeared before this committee on the development of a scheme for



investigation and action in northern Ontario dealing with health and economics. It is not merely a question of providing, let us say, the equivalent of vitamin pills to a people. You have got to do more than that. Health fits into the whole economic and educational framework and background of the people, and that is Dr. Brwn's field much more than it is mine.

The CHAIRMAN: Mr. MacLean, have you any questions?

*By Mr. MacLean:*

Q. Take the Eskimos, the Algonquins and the Iroquois. Do they all really come from one particular stock?—A. They are all of Asiatic origin.

Q. Do you think they came from different tribes?—A. They probably came in at different times. Much of the differentiation took place in Asia before they reached the new world.

Q. I suppose climatic conditions had a lot to do with the physical characteristics?—A. Yes, and also what I would call the accident of history, the influence of one man. Look at the history in Great Britain and the influence of William the Conqueror, for example. If he had not happened to live the whole history of Great Britain might have been very different. To take a more drastic modern case look at the terrific influence of Hitler. One man can change the course of a whole people's actions and activities. A religious leader can change the whole course of a people's ideals and activities. Therefore, minor differences in Asia increased by isolation in the new world, increased by geographical isolation, subject to the accident of the rise of a great man, could send a group moving in one direction or another. Once they start moving in one direction that motion tends to be, if I may use the expression, a cumulative snowball. I am not sure that is the correct term, but I think it explains my point.

The CHAIRMAN: Before closing the meeting I want to draw the attention of the committee to the reference which was made this morning to the work of Anthony Walsh of British Columbia. If the members of the committee will refer to page 182 of the 1947 minutes of this committee they will see in appendix CB, the brief of the British Columbia Indian Art and Welfare Society, a reference to the work of Anthony Walsh, and more detailed matter about him at pages 192 and following.

Professor McIlwraith, many individual members of the committee have expressed to you already their appreciation for your attendance here before us, and the very interesting, informative and valuable evidence which you have given. On behalf of this committee I want to express to you formally our sincere appreciation for the interesting and valuable efforts you have put forward on behalf of this committee's work. I know I express the sentiment of all members of the committee who have had the pleasure of hearing you, and of various citizens throughout all of Canada who will be reading these reports, when I extend to you our appreciation and say that we want to thank you very much. I know that is the expression that the committee would like me to convey to you.

The WITNESS: Thank you. May I say for my part I came before you simply because this is a field in which I am very keenly interested. May I thank you for the great courtesy with which you have listened to me. I am afraid I have offended as usual by speaking far too long, but this subject is very vital and very real to me. I thank you, indeed, for your courtesy to me.

The CHAIRMAN: Gentlemen, we will meet on Thursday at 11 o'clock in room 277 at which time we will have the pleasure of hearing the delegates from the Indian Association of Manitoba and perhaps delegates from other groups in Manitoba.

The committee adjourned at 5.55 p.m. to meet again on Thursday, June 5, 1947, at 11 o'clock a.m.

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SESSION 1947



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 30

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THURSDAY, JUNE 5, 1947

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### WITNESSES:

Mr. Harry G. Anderson, Fairford, Manitoba, President, Indian Association  
of Manitoba;  
Chief John Thompson, Pine Falls, Manitoba;  
Mr. Thomas G. Prince, M.M., Brokenhead Reserve, Manitoba;  
Chief A. James Murdoch, Fisher River Reserve, Manitoba;  
Mr. Boniface Guimond, Fort Alexander Catholic Association.

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CONTROLLER OF STATIONERY

1947





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
Thursday, 5th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C. 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Horner, Robicneau and Taylor, 3.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), 14.

*In attendance:* Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; G. Patrick, V.L.A.; G. Armstrong, Welfare; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; H. M. Jones, Supervisor, Family Allowances; Hugh R. Conn, i/c Fur Conservation; W. S. Arniel, Inspector, Indian Agencies, Ontario; M. McCrimmon, Trusts and Reserves; also, Reverend Fr. J. O. Plourde, O.M.I.; also, Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

The Chairman read a telegram from Chief L. Kewayosh, Wallaceburg, Ontario, protesting the contents of a brief of the Grand General Council of Ontario which appears as Appendix FJ, Minutes of Evidence, No. 25.

The Chairman read into the record the answer furnished by Mr. William Zimmerman, Assistant Commissioner of Indian Affairs, U.S. Department of the Interior, to certain questions put to him when he appeared before this Committee on May 19 and 20 last.

Mr. William Bryce, M.P. (*Selkirk*), introduced the delegates from the Indian Association of Manitoba.

The Chairman read into the record a list of briefs from various Indian reserves in Manitoba which have already been printed as Appendices to the Minutes of Evidence of the Committee.

The following delegates from the Indian Association of Manitoba were called, made statements and were questioned:

Mr. Thomas G. Prince, M.M., Vice President; who read into the record briefs or statements of grievances from various Indian bands in Manitoba;

(The Chairman directed the attention of the Committee to reports made to the Committee by members of Parliament from Manitoba: Mr. W. Bryce (*Selkirk*) at page 42, 1947 Minutes; and Mr. J. E. Matthews (*Brandon*) at page 89, 1947 Minutes and also at page 318, 1947 Minutes);

Chief James Murdoch, Fisher River Reserve, Manitoba;

Chief John Thompson, Fort Alexander Reserve;

Councillor H. G. Anderson, Fairford Reserve, and also President, Indian Association of Manitoba.

Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association, as representative of the Catholic Indians of the province of Manitoba, was called, read a brief and was questioned thereon.

The Committee adjourned at 12.50 p.m., to meet again this day at 4.00 p.m.

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### AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Johnston and Taylor, 2.

*The House of Commons:* Messrs. Brown, Bryce, Blackmore, Castleden, Farquhar, Matthews (*Brandon*) (Vice Chairman), Raymond (*Wright*), and Richard (*Gloucester*)—8.

In attendance: as at morning session.

The following witnesses were further questioned:

Messrs. Thomas G. Prince, M.M.; Chief John Thompson; Mr. Boniface Guimond.

Messrs. Hoey, Hamilton, Conn, McCrimmon and Patrick made statements.

The Committee adjourned at 6.05 p.m., to meet again on Friday next, 6th June at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*

# MINUTES OF EVIDENCE

HOUSE OF COMMONS

June 5, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Gentlemen, first of all may I say that Mr. Lickers has received a telegram from Chief L. Kewayosh of the Walpole Island reserve. Apparently, the Grand General Indian Council on May 3 sent a brief which is included in our minutes of evidence (1947) of this committee at page 1,363. The chief of the Walpole Island reserve forwarded this telegram to Mr. Lickers:

Wallaceburg, Ont., June 4, 1947.

Norman E. Lickers,  
Liaison Officer of Indian Act,  
House of Commons,  
Ottawa.

Immediately check proceeding Walpole Island council meeting April seventh, nineteen hundred forty-seven, regarding Grand General Indian Council of Ontario. due to which you will find band objecting in the *Hansard* number twenty-five listing brief in the list appendix FJ listed as Walpole Island (brief) illegal.

Chief L. KEWAYOSH.

We will note the objection of Chief Kewayosh.

Now, when Mr. Zimmerman was here—he is as you will remember, the assistant commissioner of Indian Affairs in the United States—there were certain questions asked him which he said he would answer later on. Now, with the permission of the Committee I will file his answers to those questions, and they will be incorporated in the minutes of evidence.

Answers submitted by Mr. Zimmerman are as follows:—

“1. Has there been any progress in Indian education since the report in 1928 of the Meriam survey?

Yes. While the facts reported at that time on academic achievement were very meagre and limited, there is now some basis for comparison. Marked progress has been made. Both the total number of students taking advantage of education as well as the reduction in percentage of retarded students show notable improvements. These can be shown by the following tabulation:

Status of children in Indian schools

	1928		1944	
	Number		Number	
Children ahead of their expected grade.....	264	2%	562	2%
Children at normal grade.....	1,043	6%	9,145	37%
Children retarded year.....	2,170	13%	6,044	25%
Children retarded 2 years.....	2,951	18%	4,196	17%
Children retarded 3 years.....	3,125	19%	2,349	10%
Children retarded 4 years.....	2,491	15%	1,167	5%
Children retarded 5 years.....	1,178	11%	481	2%
Children retarded 6 to 8 years.....	2,635	16%	425	1.7%
Total .....	*16,457	100%	24,369	100%

\*This is not total enrolled, but total for which full figures were available.



In 1928 only 6 per cent of the students were in the grade which one would expect them to be on the basis of age, whereas in 1944, this percentage was 37, over six times as great. In 1928, nearly two-thirds of the students were more than one year retarded, whereas in 1944, about two-thirds of them fell into the category of favourable grade placement, i.e., ranging from advanced to no more than one year of retardation. This information is even more meaningful when one considers that with the increased numbers of students has come a more representative cross section, thereby including a greater proportion of students for whom the acquisition of an education is a relatively difficult task. Moreover, these data are distorted too by the fact that the Navaho reservation, with fifteen thousand and children between the ages of 6 and 18 for whom no schools are available, alone contributed each year enough over-age beginners to account for much of the over-ageness in the preceding table.

The increase in opportunities for an Indian child to obtain a high school education is significant: while only one school offered instruction through the twelfth grade in 1924, there were twelve schools in 1934, and thirty-seven in 1944."

We have with us this morning a delegation from the Indians of Manitoba represented by official delegates from the Indian Association of Manitoba. That delegation includes Harry George Anderson, Fairford, Manitoba, president; Thomas G. Prince, M.M., Brokenhead Reserve; Chief John Thompson, Pine Falls, and Chief James Albert Murdock, Fisher River. Now, I am going to ask Mr. Bryce to introduce the delegation.

MR. BRYCE: Mr. Chairman and members of the committee, it gives me great pleasure to introduce these gentlemen who are here representing the Indians of Manitoba. On my extreme left we have Counsellor Harry George Anderson of the Fairford reserve; next to him we have Chief John Thompson of Fort Alexander, Pine Falls; next to him we have Chief James Albert Murdock from Fisher River, who is a delegate from the Indian Association, and next to him we have ex-sergeant Thomas G. Prince, M.M., who served four and a half years in the Canadian army overseas and wears the British military medal and the silver star medal of the United States. Sergeant Prince is from Brokenhead reserve and he is vice-president of the Indian Association of Manitoba. He will be the spokesman for the association. Another gentleman who should be here, I understand, is Alfred Flette of the Peguis band. He was to represent the unaffiliated Indians. I do not know what has happened to him, but he has not shown up as yet this morning. However, he may come later; we shall have to wait and see.

THE CHAIRMAN: Is Boniface Guimond of Fort Alexander Catholic Association here?

MR. BRYCE: If he is here I am sorry that I have not had the pleasure of meeting the gentleman. I am sorry if I have not met any gentlemen from Manitoba because I have a warm heart for anybody who comes from that fine province.

THE CHAIRMAN: I may tell you, Mr. Bryce, that we all have. Now, we have in the room Mr. A. G. Hamilton, whom we have not met formally. He is the inspector of Indian Affairs in the province of Manitoba. Perhaps this is an opportune moment for me, on behalf of this joint Committee of the Senate and the House of Commons, to extend a hearty welcome to the Indians here present from the province of Manitoba.

Now I will ask Mr. Prince, who is the spokesman for the delegation, to come to the front.

Before Mr. Prince makes his presentation I wish to refer the committee to certain briefs that have been submitted to this committee on behalf of Manitoba Indians. I have before me a list of the briefs and where they may be found in our minutes of evidence. Those briefs were submitted at various times, and I shall ask that this statement indicating the place of the brief in the evidence be incorporated in to-day's minutes of evidence, as a means of ready reference.

Mr. CASE: Are these briefs which have been presented to this committee?

The CHAIRMAN: Yes, they are now incorporated in the minutes of evidence and they are all in connection with the Indian bands in Manitoba.

# BRIEFS FROM INDIAN BANDS OR RESERVES IN MANITOBA

Already printed as Appendices

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**Thomas George Prince, M.M., Vice-President of the Indian Association of Manitoba, Canterbury, Manitoba, called:**

*By the Chairman:*

Q. Mr. Prince, you are a resident of the province of Manitoba—on what reserve?—A. I am a resident of the Brokenhead band No. 4, Canterbury, Manitoba.

Q. Would you tell us your age?—A. I am thirty-two.

Q. Now, I believe you had a certain amount of schooling; where did you go to school?—A. At Elkhorn, Manitoba.

Q. What sort of school is that?—A. A residential school for Indians.

Q. How far did you go in school?—A. Grade VIII.

Q. Now, I understand also that you were in the Canadian army?—A. Yes. I joined the Canadian engineers in 1940 and I went overseas with the engineers.

Q. Over to Europe?—A. Over to England. I returned with the parachute brigade in 1942. In the latter part of 1942 I went to the United States of America with the parachute brigade—the 1st Canadian Parachute Battalion. In the latter part of 1942 I joined the special parachute service, the special service which was sent to Helena, Montana, and proceeded from Fort Benning

to Helena, Montana, in 1942. I went over to the northern Pacific area in 1943 with the special service. I returned in 1943. That same year I went over to Africa with the same special service force. In 1943 I proceeded to continental Europe—Italy and France. I returned to England in 1945. On the 24th of June, 1945, I returned to Winnipeg and got my discharge on August 21, 1945, from M.D. 10, Winnipeg.

Q. That is a very fine record. Yesterday you were telling me that in addition to the schooling which you got at the residential school you received considerable scholastic education and other education while in the army.—A. While I was in the army I attended special courses. I turned out to be one of the reconnaissance sergeants for a special service course. I took several courses whilst in this unit, and more especially on G-2 work, being a reconnaissance sergeant.

Q. What do you mean by G-2?—A. Intelligence service. I had to find out what the enemy was doing over on the other side. Our work was called G-2. I had to find out the particulars of the enemy on the other side, and so I had to have additional courses beyond those of the average soldier.

Q. Now, you entered the army as a private?—A. Yes, as a sapper in the Canadian engineers. That is the equivalent of a private in the infantry.

Q. And when you were discharged, what was your rank?—A. My rank was that of sergeant.

Q. Are you married?—A. I was married but I am divorced.

Q. Now, are you living on an Indian reserve?—A. Yes, I reside in the Brokenhead reserve now.

The CHAIRMAN: Are there any preliminary questions that other members of the committee wish to ask this witness?

*By Mr. MacNicol:*

Q. Where is the Brokenhead reserve located?—A. The Brokenhead reserve is located northwest of Winnipeg, approximately 42 miles, on the Grand Beach line.

Q. Is it on Lake Winnipeg?—A. The eastern region of Lake Winnipeg.

*By Mr. Case:*

Q. What official position have you with the delegation or with the provincial organization?—A. I am vice-president of the Indian Association of Manitoba and I have been selected as head spokesman for that association.

The CHAIRMAN: If there are no further questions I would suggest that you proceed, Mr. Prince.

The WITNESS: First, may I extend my appreciation to Mr. Bryce and to the Honourable Mr. Glen and to Mr. Lickers for making it possible for me to have this hearing before the joint committee. We, of the Manitoba Indian Association thank and express our appreciation to your members for making it possible for us to be here. I am, however, a new member in the Manitoba Indian Association. At the time I became a member of the Association there was a brief presented to our Minister by the Manitoba Indians in 1946 on February 22. It was my first trip to Ottawa when I met the Honourable Mr. Glen, our Superintendent-General. First I wish to put on your record our submission to the Honourable Mr. Glen.

## THE INDIAN ASSOCIATION OF MANITOBA

WINNIPEG, MAN.,

February 22, 1946.

The Indian Association of Manitoba respectfully petitions His Majesty the King in the persons of the Government of the Dominion of Canada and the Members of the House of Commons to consider the matters herein set forth.



At Stone Fort or Lower Fort Garry, August 3, A.D. 1871, the representatives of the Crown, the late Queen Victoria, Governor Archibald and Indian Commissioner Wemys Simpson, contracted the terms of a treaty with the Indians and made solemn promises which were to stand fast forever, as long as the sun shines, grass grows, and the river streams flow, and that no other transactions or alterations to be made on the top of the treaty foundations made in accordance of the British Crown, even the Queen herself, or any other government, could not break those laws which were established at that day. Treaties Nos. 2, 3, 4 and 5 were made similar to that of 1871.

The chiefs herein assembled do hereby empower by appointment a delegation to Ottawa, to present our many grievances to the House of Commons.

Be it resolved that a royal commission be made to enquire into the deplorable conditions now existing in our reserves.

We wish to have our game, fish, and other items restored to us, that which were our God given rights, for we did not surrender those at the time of our treaty in 1871.

Consideration also should be given to schools, disputed lands, rations and our aged people in our reserves.

Be it resolved that the Indian Act be abolished and tax exemptions be restored to Indians.

Awaiting prompt attention, we remain,

R. ANDERSON,  
*Secretary.*

I planned to have the Indian Association of Manitoba present a brief to this committee but my plans did not work out. However we have brought along this treaty book. I believe the House of Commons and the Indian Affairs Branch will have such a book as this. This particular one is in bad condition. It contains treaties of Manitoba and the western provinces. In conjunction with the treaty book we have a parchment concerning the revision of treaties Nos. 1 and 2. The former is the treaty of August 3, 1871.

The CHAIRMAN: I would just give you the name of the book, for the purposes of the record. "Treaties of Canada with the Indians of Manitoba and the Northwest Territories," including negotiations on which they were passed and other information relating thereto, by the Honourable Alexander Morris, P.C., late lieutenant governor of Manitoba, the Northwest Territories and Keewatin.

Mr. GARIEPY: What is the date of publication?

The CHAIRMAN: It is dated Toronto, March 1880. It is published, I imagine, by Rolfe, Clarke and Company, I can see the word "Clarke".

It has a front note by the author, a letter addressed to the Right Hon. the Earl of Dufferin, signed by Alexander Morris, the author, at Toronto in March, 1880. I think that will identify the book sufficiently for our purposes. We have a copy in the Parliamentary library.

The WITNESS: You will find the proceedings concerning the treaty made on August 3, 1871, in this book. As yet I do not refer to the actual terms in which the treaty was made. You will find that the revisions of treaties Nos. 1 and 2 are also in this book. They were made on April 3, 1875, by Order in Council. The clerk of that council at that time was W. A. Himsforth. With this document about the revisions of Nos. 1 and 2 treaties we have an attachment. The attachment is a copy of treaty conversations made at Lower Fort on August 3, 1871.

## TREATY AGREEMENT AT LOWER FORT

Made the 3rd of August, 1871

*Subjects of Treaty at the Stone Fort*

By the commissioner said did you make your plans right. I told you yesterday. My heart was heavy yesterday when I went from back from here yesterday. But I glad to see you this morning. I hope you will put everything right to-day to ask the great Mother the Queen. She will give 3 dollars. If you take this offer just now that is 6 dollars that you will have this year. But after this year you will only have 3 dollars per head till sun shines and the great Mother the Queen she will pay you the school master herself from her own pocket. The great Mother the Queen she know you are poor and the great Mother the Queen she will assist you all when you settle and our great Mother the Queen she will give you one hundred and sixty acres of land per five of family when to be in your Indian reserve and no white man to be allowed to stop there inside the reserve and if the white man does anything wrong inside the Indian reserve I will punish him myself.

Wassaskooko with his partners said I am glad to hear about the goodness of our great Mother the Queen as you said and we are coming to ask our great Mother the Queen if she will accept of our wants. We will give this our country what she was asking from us but we will take the all what you mention in your last speech and we say in ever again to our want from the great Mother and we will take the 3 dollars and we will ask the great Mother the Queen to give us till the sun shines that in 3 dollars and one pair of fine clothing this spring and one pair clothing in the fall each head those two things we ask the great Mother the Queen to give till the sun shines and we ask the great Mother the Queen again to give us in the first season each family ploughs and harrows and a pair of each cattle per family and a pair of sheep and pigs and turkeys hens and other kind of fowls all that we ask of the great Mother the Queen to give us and to give our chief and spokesman and brave of each of the buggies and the horses with the complete one of each kind officers to give our great Mother the Queen never to shut up big store and shops when to find the living to our child in and to be always to get any time they wanted and we will agree about the lands allowed 160 acres of five in family and we ask the great Mother the Queen never to be taxes inside the reserve and no white man to be allowed to be intoxicating liquor inside the Indian Reserve commissioner said and took off his hat and he said I am glad to hear you are asking settle now. But I said I will do all what you are asking to our great Mother the Queen and I said already that no white man stops inside the Indian reserve I will settle with him myself by and by and if the white man does anything wrong inside the Indian reserve. I will punish him myself and again you understand this we shall not make anything again afterwards. Governor Archibald Simpson said if ever you tire of your reserve first of all chief and council and the band to be like one and the great Mother, the Queen, and the government the three minds to be like one if ever you leave your reserve you will get a reserve along the lake where there is lots of fish to make your living because you Indians done most wonderful things to give your great Mother Queen your country your great Mother Queen has you as her own children if he gets patent by lies if he should be a half-breed if he should be a white man, if he should give half cash and half trade or if he should build a brick building or a stone building your great Mother Queen has power from her crown for that buyer to be the loser, because your great Mother Queen making a

reserve for you to-day as long as the sun shines and river runs to be yours and your children forever. If there should be a different government even the Queen herself could not break those laws making according to her crown and power of her crown after the reserve was made. The treaty book was opened one hour to any man to speak, nobody spoke. When the hour expires the great man got up again and said, the hour is up now am going to close our treaty book, the book is closed and sealed no man under the sun will open the book except our great Mother Queen. If any man brings new things on top of this book he will sound like a negro talking away far off and we are enclosing this agreement and we are not putting down here small articles which we are now promising to you all, we shall have them one side of the paper we just put down the big articles what we are promising you. Our great Mother and all the white people with the Governor Archibald and Indian Commissioner Simpson and all the witnesses signs this agreement which is now made.

### OUTSIDE PROMISES

*Treaty Made at Lower Fort by George Archibald with  
Indian Commissioner W. Simpson*

Indian Chiefs	(Kakeekaypeenais)	(Kewelatigars)
	(Nasakeepenais)	(Wakoowash)
	(Osasawekwan)	(Waynawananan)

At the time of our treaty at the Lower Fort this is believed to have been agreed and we are contented. We Nettly Creek Indians desire your Excellency to represent our case to your ministers in the department we want a sub-chief for our part of our reserve. We do not want Henry Prince for our chief. We pray to your ministers, through you, to give us a sub-chief and separate councillors. Signed by all the Nettly Creek Indians through Miskopenais.

### TREATY FOUNDATIONS OF 1871-1872

#### PROVINCE OF MANITOBA

Promises to Indians Included in all Treaties Nos. 1 and 2, 3, 4, 5, 6, 7, 1871.

1. Clothing of our chiefs and other head men.
2. Wagons complete, for chiefs and head men.
3. Farming implements with seeds for each family.
4. Carpenter tools for each family.
5. House furniture, inside and outside.
6. Warm clothing for the winter for each head man, and for women and children.
7. Lighter clothing for the spring for each head men, also women and children.
8. The furniture for men hunting.
9. Furniture for women hunting.
10. One pair of cattle for each family, being an ox and a cow.
11. One pair pigs for each family, being a boar and a sow.
12. One pair of sheep for each family.
13. One pair of hens for each family.
14. One pair turkeys for each family.
15. School in which to educate our children, paid from our Great Mother, the Queen.
16. Minister, to be paid by our Great Mother, the Queen.



17. A blacksmith on each reserve.
18. A carpenter on each reserve.
19. A Doctor to attend on each reserve, to be paid for by our Great Mother, the Queen.
20. Provision stores and goods, to take in our reserves.
21. Money payment of \$3.00 per head, forever.
22. Money to each chief.
23. Money to each head man.
24. School teacher to be paid by our Great Mother, the Queen.
25. That our reserves be our land as long as the sun shines.

See the reply from Commissioner Simpson to Lieutenant-Governor Archibald.

These are the questions to be answered, and also how many articles are on the old age rations each month, and on the sick rations.

This is the attachment that was made to the revision when treaties No. 1 and 2 were revised on April 30, 1875. It reads:

Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 30th April, 1875.

On a Memorandum dated 27th April, 1875, from the Honourable the Minister of the Interior bringing under Consideration the very unsatisfactory state of affairs arising out of the so called "Outside Promises" in connection with the Indian Treaties Nos. 1 and 2,—Manitoba and North West Territories concluded, the former on the 3rd August, 1871, and the latter on 21st of the same month, and recommending for the reasons stated:

1st. That the written Memorandum attached to Treaty No. 1 be contained in so far as they have not yet been carried out, and that the Indian Commissioner be instructed to carry out the promises therein contained in so far as they have not yet been carried out, and that the Commissioner be advised to inform the Indians that he has been authorized so to do.

2nd. That the Indian Commissioner be instructed to inform the Indians, parties to Treaties Nos. 1 and 2, that, while the Government cannot admit their claim to anything which is not set forth in the Treaty and in the Memorandum attached thereto, which Treaty is binding alike upon the Government and upon the Indians, yet, as there seems to have been some misunderstanding between the Indian Commissioner and the Indians in the matter of Treaties Nos. 1 and 2, the Government out of good feeling to the Indians and as a matter of benevolence, is willing to raise the Annual Payment to Each Indian under Treaties Nos. 1 and 2, from \$3.00 to \$5.00 per annum, and make payment over and above such sum of \$5.00, of \$20.00, each and every year to each Chief, and a Suit of Clothing every three years to each Chief and each Headman, allowing two Headmen to each Band; on the express understanding, however, that each Chief or other Indian who shall receive such increased annuity or annual payment, shall be held to abandon all claim whatever against the Government in connection with the so called "Outside Promises" other than those contained in the Memorandum attached to the Treaty.

The Committee submit the foregoing recommendation for Your Excellency's approval.

Certified,

(Signed), W. A. HIMSWORTH,  
C.P.C.

From this the committee will see why we do not submit a written brief from the Indian Association of Manitoba. We take the treaties made with our ancestors by the British Crown. Further I wish to put on record briefs from the certain reserves which briefs were turned over to the Manitoba Indian Association. In turn the Manitoba Indian Association presents those briefs to the joint committee. I will now read them:

May 23, 1947

*Brief from The Pas Indian Band*

The following brief was submitted to the Manitoba Indian Association, which held a convention at Winnipeg on December 4, 1946, by the undersigned, and at this date have added a few more items to the said brief, for further discussion by the said association.

1. Why were the Indians of The Pas band fined for hunting ducks and geese for their own use out of season. They were fined \$10 each; they were prosecuted under the Migrating Bird Act. The Indian still believes that they were within their treaty rights.

I emphasize the fact that they were inside their own reserve.

2. That the treaty Indians should be allowed to fish for commercial purposes within their treaty boundaries.
3. That the old people on reserves be given old age pension—instead of the \$10 they receive from the band funds.
4. The residential schools should be improved to up to date conditions if they are still to be in operation. The pupils should get full time schooling, the half-day system should be done away with. We would ask the department to give full assistance by financing same, also to improve the day schools, that are located on the reserves.
5. We would urge the department to see that they have one of their own surveyors to re-survey the lines on our reserve. We have trouble with the white people concerning these lines.
6. In spite of all the planning the provincial government is making for the tourists regarding Clearwater Lake (known as Atikameg), we still say this lake should be preserved for the Indian of The Pas, as they have no fishing grounds.
7. Indians having funds held for them at Ottawa should be permitted to purchase farm tractors that they may have community farms, especially for The Pas band.
8. We would ask that the department see to it that we get satisfactory compensation for roads going through our reserve—as the compensation we have at present is not satisfactory.
9. Our hunting rights should be extended, and trapping grounds more favourable. Indian people complain that too many white men are being put to trap on the muskrat area. We don't like to mention this very much as we were told by the Provincial Fur Advisory Committee not to say anything about it, nor mention any agreement concerning same, for if we look too close to the agreement, we may arouse the sleeping dog. However we feel that we have a right to speak concerning these swamps for we made our living from them from time immemorial.
10. Childs allowances for widows with children.
11. That boarding schools be given a larger grant, as at present it is not enough.

12. Indian agent has too much work and should have more help.
13. The Moose Lake band requests that a  $1\frac{1}{2}$  mile road from the reserve to canoe and boat landing at Moose Creek be made. This is a swampy country. The transferring of freight from their boats and canoes is done over this road of  $1\frac{1}{2}$  miles by team and wagon. \$2,000 would make a fair road similar to Pemikan Portage to Cumberland House road.

CORNELIUS BIGNELL, *Chief*.  
 DONALD LATHLIN, *Councillor*.  
 JOHN YOUNG, *Councillor*.  
 MATTHEW MCGILLIVARY, *Councillor*.

The next is the submission from No. 4 Brokenhead Indian reserve, which is the reserve where I reside.

No. 4 Brokenhead Indian Reserve  
 April, 1947.

We, the undersigned band, beg to submit the following grievances to the Manitoba Indian Association, and the Senate and the House of Commons, concerning our treaties broken.

1. Hunting, trapping.

Why is it we can't trap muskrats in our trapping ground? Just west of the reserve has been our hunting and trapping grounds all our lives. Now not even an all-treaty Indian is allowed to trap here, just the white man can trap here.

I would point out that in 1947, this year, there has not been an Indian trapping on this particular area to which they refer and which is just immediately west of the reserve of band No. 4. There have been, however, five or six members of the said band trapping twenty miles southwest of the reserve. In the Brokenhead band there are cripples and older men who cannot go out twenty miles and sleep in the cold. It is all because of this fur conservation and rehabilitation block which is preventing the Indians from trapping on the said grounds.

2. Fishing.

We are having a hard time to fish for our own use. For instance, inside our reserve in the year 1946 four families' nets were torn by the game guardian's motor boat, George Longbotton, who is always in our reserve. This is an encroachment of white man in the reserve.

I point out that the said Mr. George Longbottom is the game guardian of the provincial government. He has travelled up and down the Canterbury and Brokenhead reserve tearing Indian nets inside the reserve.

I will refer to a report of one of the meetings of this committee. Your joint committee asked for letters from each individual reserve concerning treaty rights and obligations etc. You will find that there was also an item with regard to the encroachment of white men on the reserves. This particular employee of the provincial government of Manitoba, George Longbottom, is a pure white man and has not one ounce of Indian blood in him.

3. The promised farm implements and garden implements have disappeared, also the treaty oxen and cows, treaty bull, carpenter tools. All these have disappeared.



## 4. Education:

We wish to have our children given more education. In the past year we did not even have a school teacher for our day school, therefore our children haven't—are not going to school.

## 5. Disputed Lands:

Indian land fenced off by white man southeast of Sec. 25, same northeast Sec. 23. The amount indicates (I.R.). We wish to have it re-surveyed by the Indian department.

## Names

Councillor—	Mr. Joe X Williams
Councillor—	Mr. Edward X Passage
Band	—Mr. Alex X Raven
Chief	Richard X Chief
	Mr. Alfred X McDonald
	Mr. George Williams
	Mr. Henry X Starr
	Mr. William X Morrisoe
	Mr. Gordon Passage
	Peter Jones
	Harry Raven
	Mr. Eddy X Bran
	H. F. Sinclair
	Robert Olson
	Thomas Prince
	Sandy Grisdale

I am interested in this particular band, and the reason is obvious. I belong to the band. I returned to this band after I was discharged from the armed forces. However, I do not particularly make my living in this particular reserve as there is nothing there to make a living by. We have not a store on the reserve and I am forced to go outside the reserve to make my living.

I have referred to band No. 4. I shall do my utmost to help my band and I shall do everything I can to work with the government and to co-operate with the government for better living conditions in Manitoba as a whole. Therefore I myself am prepared to make a suggestion to the Indian Affairs branch. I referred this suggestion to our Indian agent before, on the 4th of June, 1947—a suggestion with regard to development of agriculture in Brokenhead band reserve No. 4. However, this is not a brief to be submitted; this is a suggestion I personally am bringing before the Indian Affairs branch but which I would like the committee to hear. If the committee wishes to have it put on the record it may do so.

This reserve No. 4 has ideal land for agriculture, real rich black soil.

In the fall of 1946 a large forest fire swept through the reserve destroying the best part of the timber area. This reserve is about five miles by six miles, and about one-third of the reserve is ready for breaking land.

I had three meetings with this band, both young and old generations. Now that the timber is practically all gone and the provincial government is rationing our muskrats, etc., we must get together and do something and do it fast. We, our band, should get a loan from the government of the sum of \$10,000 to \$15,000 to start an experimental farm on a five year base plan with repayment to the government. We can form a band association of three or four young men capable for the purpose. These men will look after the entire set-up. Now in this certain band we have a

lot of young men who went to the residential schools at both Brandon and Elkhorn and I must say they are capable of farming—even our inspector, A. G. Hamilton, can vouch for me on that subject since he trained some of them in Brandon school, Manitoba.

And we also have a few veterans who can really handle machinery. They showed it by holding their own in the army. I have the people of this band very interested in this project. We were ready to sign for this. Then our Chief, Chief Richard turned us down. He can't even read or write. I then took the matter up with the Indian agent, Mr. Frank Hughes, two times. I explained every detail and I mentioned the fact that if we set this example for the rest to follow I am more than sure the government and our people will never regret it.

And the only thing I can see now is to change our head men and then proceed with the project. I am sure the Indian Affairs branch will consider this suggestion.

The machinery we would need would be a complete tractor and breaker, one power disc, harrows, one power seed drill, one power binder, one threshing machine, one cultivator, about \$1,500 set aside for fuel oil and seed, first year.

I further suggest if any of this joint committee ever comes our way they look at our reserve and they will get the picture from my viewpoint and they will see that we, the people, must do something fast.

(Sgd.) Mr. Thomas G. Prince.

That is a suggestion I am placing before the government.

However, with regard to the treaty that was made on the 3rd of August, 1871, I say that I am not prejudicing my treaty, I am trying to better the living conditions of my fellow Indians. If we the people on the Brokenhead band reserve No. 4 could set a good example I am sure the rest of the people in Manitoba would follow.

The CHAIRMAN: Gentlemen, with the permission of the committee Mr. Prince is going to file certain briefs which will be incorporated in the evidence. There is a brief from band 39 and band 40 of Shoal Lake signed by Frank Kabestra and Arnold Mandamin, dated May 26, 1947. Then there is a brief dated May 28, 1947, signed by Chief N. Asham of the Peguis reserve. Then there is a brief from the Chemahawin reserve signed by Chief Geordie George. There is another brief from Poplar River, Manitoba, signed by Chief Nanawin, and there is another from the Long Plain reserve and still another from Shoal Lake, Ontario. May I say that No. 39 and No. 40 bands are in Shoal Lake, Ontario. The other Shoal Lake brief is from Manitoba.

"May 26, 1947.

#### Re—Day School on Reserves

On August 26, 1898, the following agreement between the Indian Agent at that time and the Shoal Lake Indians was written (as taken from Austin G. McKittrick's diary of 1900).

The Agreement as follows:—

We, Miscagesik Redsky, and Kichkab (or McNabb) who is one of Shogaces' headmen and speaks for him will send our children to such a boarding school as has been described *if it is not too far away*, and will do our best to get our people to send their children.

MISCAGESIK	X his mark
KECHIKAB	X his mark

August 26, 1898."

Thus started the matter of sending the children to school.

The school being close to the Reserves No. 39 and No. 40 everything went well for the Indians.

Then came 1929 which caused a change on all concerned. All the school children were removed to a school in Kenora, Ontario, which was named "Cecilia Jeffrey School". (Like the one which they had just vacated.)

The new school was located over fifty miles away from the Reserves. This caused the Indians infrequent visits to their children. Some did not see their children until July 15 of each year. An Indian would manage to accumulate some amount of money and would take a trip to Kenora and see his child (or children, as the case would be) and a few days in Kenora visiting would exhaust all his money. This procedure of visiting children from afar off was, and is still, a heavy burden on the Indian. All because the school was removed from near the reserve to a town 50 miles away.

To what advantage did the removal of the school bring to the white man or the Indian? To the white man it may have brought many advantages and on the other hand the Indian had to take the disadvantage, so far as travelling from the reserve to the school was concerned.

There were many complaints that the Indian has made and is still making to-day, concerning the distance of where the school is located.

Among a few of the complaints are as follows:—

1. The major part of the money the Indian who has a child in this school earns goes to financing his trip to Kenora to visit his child. In winter time or in summer time this trip costs money.

A detailed account of money spent on the trip would take too much time to write, and an average person would figure out himself how much a trip of this type would come to. (A trip would average a week or more.)

But here is the main point—had the school not been removed the money which the Indian earned would have gone in purchasing things for his home like clothing, food, etc. So much for that.

2. The children who ran away from school have always been a grave concern to the Indian. This may be caused by the loneliness of the child because his parents were unable to finance a trip for a visit.

3. While the school was near the Reserves the children never thought of running away and they seldom did.

We, the Indians of Bands Nos. 39 and 40 have been trying to obtain permission for a day school to be built on our Reserve, during the past few years.

And we are as a whole petitioning for a day school from the Department at Ottawa at this writing.

We have seen many articles in newspapers and in Indian newspapers concerning "Day Schools on Indian Reserves".

And we hope to realize and establish one at our Reserve with the permission and help from Ottawa in the very near future.

Signed by,

*Chiefs*

Frank Kabestra, Band No. 40

Arnold Mandamin, Band No. 39

*Councillors*

Geo. Chena X

Jim Chena X Band 40

Chas. Greene, Jr., X Band 39

*Witnesses*

Fred Greene, Ernest Fair.



When we first understood that the school was going to be removed to Kenora, Chief William Kesick and I (Jim Chena, Chief at the time) tried very hard to hold the school at Shoal Lake, but to no avail.

Part of the agreement was that the school could be in use continually as long as there were Indians living on the land, but to all indications it was the Agent who caused the removal of the school.

Signed,

Councillor Jim Chena X

Winnipeg, May 28, 1947.

To the Joint Committee of the Senate and House of Commons:

That the fishing, trapping and game promises be carried out and a portion of Fisher Bay be put aside for the benefit of the Indians of Fisher River and Peguis Bands, and the settlers thereon.

At the present time white fishermen fill the Fisher Bay with very big fishing outfits and crowding us out of the best places. This place asked for is from Birch Point to north end of Moose Island and across to west side to Mitchell's Camp. This to include the settlers.

Our wish is to keep the big companies out of these fishing grounds, who are mostly getting the biggest quantity of fish, of which the smaller fishermen have no show at all in the way of commercial fishing.

Coming to trapping rights, we have no place to trap in now—by a surrender in 1907 that was improperly obtained, the Dominion Government sold the trapping ground last fall, which leaves us without a place to trap in.

If our Treaty rights signed in 1871 were kept we would to-day have a trapping ground hard to beat anywhere.

(Signed) Chief N. Asham,  
Peguis Reserve.

The people of Chemawawin reserve want:—

1. A resident nurse on the reserve.
2. It is proposed that our trapping licences will be taken from us, but we don't want this to happen, as we have places on our reserve where we can trap. If our licences are taken away from us when we leave the ranch, we will not be able to sell the rats we get from our reserve.
3. Regarding fishing: We are allowed only five nets to use in this work. This we feel are too few. We would like to be allowed another five nets, even if the fee for licence be increased.
4. That we be not stopped in our way of getting our living. We would ask to be allowed to kill ducks at all times.
5. It is now a long while ago since we were given implements for use on the reserve. There is nothing of them left now, and we would like to get some more for use on the reserve, as bob-sleighs, and other implements.
6. We want a new school where our children can go to school in comfort. The school in use now is very old and in bad repair. Snow drifts in at the door and windows in winter and it is very cold.
7. We do not have much hay land on our reserve, but what we need is a sawmill, houses with cement foundation.

(Signed)

Chief Geordie George,  
Councillor William Captain.  
Poplar River, Manitoba,  
North 53rd Parallel.

The treaty people—what they want:

1. Wanted at Poplar River—Post office; also at Big Black River, between Poplar River and Big Black River, over sixty families.
2. Highway transportation from point to point. The care of public health.
3. Half fare on the boats—by any passenger boat on Lake Winnipeg for treaty Indians.
4. Also we want houses repaired from the government.
5. And we want new day school.
6. Also we want a team of horses to use on our reserve, and cattle.
7. Forms for chiefs, copies to fill out and signed from Ottawa, to control his people.

(Signed) Chief Nanawin.

Chief Chubby Nanawin,  
Poplar River,  
Lake Winnipeg,  
Manitoba, Canada.

LONG PLAINS RESERVE,  
Winnipeg, Manitoba,  
May 27, 1947.

The demands from Joseph Yellowguil and Councillor J. B. Daniels to the Government at Ottawa, viz.:—

The desire of the said representatives of the band as aforesaid:

As the horses we have in the reserve are not sufficient power to break land. And it is the wish to ask for a Tractor. This is to be given from the band funds.

Houses also needed as regards to building material.

And cannot sell any produce without a permit, that the Agent sells our production and distributes to us not enough to buy anything to be useful for us.

A doctor was given to us but instead of attending to us he attends to the outsiders and rejects the Indians of whom he should look after.

Two years now I have demanded a school for our children, which I have been refused.

Destitute, old, aged have not been given enough rations to do them for a month. We want each of these aged people to be given them their rations.

Any man in sickness unable to work and cannot provide for his children not helped in provisions.

We request also a road to be built on our reserve to be granted from our land money and of which we were refused by the Department.

A part of our reserve we sold some time ago and just received a little amount of the money. We therefore request to be granted to us this land back again through the demand of the Chief council and band on account of non-payment by the Government.

May 26, 1947,  
Shoal Lake, Ontario.

In a meeting held at Winnipeg last winter, by various bands in Manitoba and elsewhere, I was asked to write down what grievances I had from my Band and to present it on the next meeting at Winnipeg on May 27, 1947.

The following is what we are submitting to the meeting for consideration:

Before the Reserves were formed at the first Treaty the Chiefs were asked which locality did each prefer for their Reserves to be situated.

Our Chief Showanibinais chose for his Reserve site at the western most part of Indian Bay and Snow Shoe Bay. The reason was obvious. The locality was well situated for hunting, fishing and trapping, and a rice crop was harvested in Snowshoe Bay every season.

All went well until the Greater Winnipeg Water District built a railway and waterline. This caused many changes in the commercial fishing standpoint of the Indians.

Fishing with nets in Indian Bay was prohibited. This was one of the best fishing grounds on the Indians' Commercial Fishing License. Since the prohibition came into effect the Indians had to crowd their nets around Snow Shoe Bay. The whole fishing ground is so limited in size and depth. The question of obtaining more ground is necessary.

At the offset the Indian was given his Reserve, so he can derive and make his living for it, but it happened that the above mentioned Railway and Waterline was built which caused many changes in the Indians routine.

Did not we the Indians surrender much land to the white man, so he could make his living from it also without disturbing our Reserves in any way?

The way it looks (figuratively speaking) is that our Reserve is like a house and the white man has stepped into it for his own use.

There were many places from where he should have obtained his water.

Signed at Shoal Lake Reserve No. 39 and 40 by

FRANK KABESTRA, Band 40,

*Chief.*

GEORGE CHENA,

*Councillors.*

The above was written and translated from the Indian to the English language by F. Greene. The translator wishes to remain neutral on all opinions arising from the above or foregoing document.

Then there is a brief from the Fairford Indian reserve, which is in Manitoba, and another from the Little Black River reserve. Then there is the constitution of the Manitoba Indian Association. These also will be included in the record.

Fairford, I.R., No. 50,

Fairford, Man., May 28, 1947.

The following is our Brief, from our Reserve, which we have prepared for presentation to the Joint Committee personally by our Delegates:

1. *Roads or Highways:*

It has been our earnest desire for many years now to have our road graded through our Reserve, making it accessible for the necessary motor traffic, ambulance service, etc. The cost should be met by the Department of Indian Affairs, and not from the funds of our Band.

2. *Cattle Raising:*

Our Reserve is most suitable for cattle raising; there is good pasture land and wild hay is plentiful.



We have decided to ask the Department to assist us in commencing cattle raising. We would ask the Department to give to each family, to those who are physically fit, and those knowing how to handle cattle, at least eight (8) cows.

3. *School and Education:*

We want our "Lower Fairford" day school to be opened in September; it has been closed for over three years now. Regarding the services of a school teacher during July and August, we do not want to have the school opened during those two holiday months.

4. *Hunting and Trapping:*

We want to be free to hunt and trap on all unoccupied lands, as we were promised in our Treaties of 1871; this is a natural occupation for us and we can do it perfectly well.

(Signed) Chief Edwin Woodhouse.

(Signed) Councillor Chas. Jno. Anderson.

(Signed) Councillor Harry G. Anderson.

Winnipeg, Man., May 27, 1947.

BRIEFS FROM THE "LITTLE BLACK RIVER RESERVE"

We, Chief Frederick Sayer, Council and Band, herein make the following requests:

We herein demand our privileges of hunting, and the natural resources of every description, fishing rights; and for these we are to pay no license whatsoever.

No garden seed has been given us, and it is our desire that we should be supplied with the same.

A sawmill was brought into our Reserve by Captain Robinson, who has placed it in the hands of another Company, by name Brown & Rutherford, of Winnipeg. They promised the Chief to give us the privilege of sawing lumber at the rate of Four Dollars (\$4.00) per thousand feet, but they have not fulfilled their promises. We therefore desire the Government to look into this matter in order to obtain a proper settlement.

The Anglican Church site has taken more land than the size of that allotted them.

Rations of the destitute are very small; not enough is given them to do them monthly. Formerly the Indian Agent came with provision to pay our annuity money, but this has now been stopped with the practice of giving rations to the Indians.

No clothing of any kind has ever been given to us; we would like the government to also investigate this need.

(Signed) Frederick Sayer,

(Signed) Moses Bird.

*Manitoba Association*

*Contents, Part I*

*Rights Under the Indian Treaties*

*Constitution of the original Treaty, which was not fulfilled by the Government.*

The Governor then took his hand and said: "I accept your hand and with it your lands and will keep all my promises in the firm belief now the Treaty to be signed, will bind the Red Man and the White together as friends forever."

A copy of the Treaty was then prepared and duly signed, after which a large amount of presents, consisting of pork, flour, clothing, blankets, twine, powder, shot, etc., were distributed to the several Bands represented on the ground.

*Page 94: (Morris)*

You are the subjects of the Queen, you are her children, and you are only a little Band to all her other children. She has children all over the world and she does right with them all. She cares as much for you as she cares for her white children. And the proof of it is that wherever her name is spoken, her people, whether they will be red or white, love her name and are ready to die for it because she is always just and true. What she promises never changes.

*Page 72: (Morris)*

Promised by the Queen that her ear would always be open. This has not been approved by the authorities at Ottawa, on many complaints and reports which have been submitted to them.

It was also stated that she would deal with her servants who did not do their duty, but this has never been perfected to follow up this obligation.

*Page 92: (Morris)*

What the Queen and her Councillors would like is this—she would like you to learn something of the coming white man. When the fish are scarce and the buffalo are not plentiful, she would like to help you to put something in the land. She would like that you should have some money every year to buy things that you need. If any of you should settle down on the land, she would give you cattle to help you, she would like you to have some seed to plant, she would like to give you every year.

*Page 95: (Morris)*

The Queen wished us a good success and blessing, of which the representatives have sanctioned on behalf of our Great Mother and her High Councillors from Ottawa, also the presiding Governor, of which they did not claim they were traders, neither are they in that spirit.

The late Queen has been faithful unto all her promises but the Dominion Officials and Indian Department have debarred the Indians in cutting our rights of enforcing the Indian Act, which gradually takes away our privileges and abolishes our rights of the Treaty.

As to the spirit of the representatives, that the Indians would have to look for themselves regarding their livelihood in general, they did not give any chance to the Indian through neglect; when a grant is given by the Government many of them receive nothing, consequently they become discouraged and abandon all efforts to better themselves.

*Page 122: (Morris)*

The Indians—Crees, Saulteaux, Ojibways, and the rest—were ready to make a Treaty. The Treaty was written out and was signed by the leaders of the Band, and a copy was written and presented to them, considering it was time we did something. Now, I would ask are the Crees and the Saulteaux and the other Indians ready to make the Treaty with us. Since we went away we have had the Treaty written out, and we are ready to have it signed and we will leave a copy with any Chief you may select; and after we leave we will have a copy written out on skin that cannot be rubbed out and put up in a tin box so that it cannot be wet, so that you can keep it among yourselves, so that when we are dead our children will know what was written."

Mr. CASTLEDEN: Have we copies of these?

The CHAIRMAN: No. They will become part of the record.

Mr. CASTLEDEN: It is going to be difficult for us to question on these matters when we have not any information.

The CHAIRMAN: The presentation is being made by this association, and they have not brought a prepared brief.

Mr. CASE: In a sense the presentation is being made by a third party, and I suppose the briefs will have to speak for themselves.

The CHAIRMAN: That is right.

Mr. CASE: Will there be any way of finding out the average number of Indians on each of these reserves?

The CHAIRMAN: We have all that information in the official census for 1944.

Mr. HOEY: Yes, that is so.

The CHAIRMAN: Now, I also have here a list of the offices and officers of the Indian Association of Manitoba and the names of those who were present at the meeting of the Indian Association of Manitoba, May 28, 1947, including the ladies. This document will appear as an appendix to to-day's report.

(See Appendix FW)

Now, I may advise the witness that we have a subcommittee on treaty rights and obligations, and it may be that when we come to the revision of the Act we will make certain recommendations, going into all of those treaties. That, of course, has not been considered by the committee up to the present time.

Mr. CASTLEDEN: Would you give us the names of those treaties?

The CHAIRMAN: We had all that before you came in.

The WITNESS: Mr. Chairman, I should like to read, with your permission, the proceedings of one of our meetings in the province of Manitoba.

The CHAIRMAN: Proceed.

The WITNESS: In 1947 I was unable to attend one of our conferences. However, I attended this one which I have recorded here and which is very brief. I have here the proceedings of the Manitoba Indian Association dated December 3, 1946, which will give the joint committee an idea of the proceedings we go through in Manitoba. The proceedings read as follows:—

Proceedings of the Manitoba Indian Association.—Dec. 3, 1946.

The council convention of Manitoba was opened by Vice-president T. G. Prince. At the opening of the council Vice-president Prince was appointed Chairman and the majority agreed.

*President H. G. Anderson.*—We are assembled together once more to discuss our treaty rights. I do not have much to say to the Chiefs and Councillors and all who are present. We will go by the treaties made at the lower Stone Fort on the third of August, 1871. I have been a member since 1939 and I am proud to be your president.

*Chairman Prince.*—To all Chiefs and Councillors, and to members of other provinces. I do not have much to say at first. I have more to say later. The treaties of 1871 have not been complied with for the past 75 years.

Time and again they have been broken. Such as the 25 promises. My basic foundations are: On the 3rd of August 1871 at the lower Stone Fort was made by Sir Archibald and Commissioner Wymess Simpson, and that three tokens were obtained . . . the sun, the river and the grass that these treaties shall stand fast as long as the sun shines and the river flows and that these treaties were made according to the British Crown.



*Delegate Chief J. Thomson.*—I do not have much to say. You have heard these treaties talked about. The treaties I am speaking about are the 1871 treaties which are not complied with. I did not sell my country. Our forefathers surrendered the depth of a furrow which is six inches of sand. I did not surrender my water. I was to share my water half and half. I was promised that my treaties shall stand fast forever as long as the sun shines and the river flows that they were made according to the British Crown.

*Secretary R. Anderson.*—My friends, I do not have much to say. You have just heard what I go by in the Stone Fort treaty. I'm sorry to say but some people think that the No. 1 treaty does not exist any more. Just because the No. 1 reserve St. Peters was broken. At the Stone Fort treaty made the 3rd of August, 1871, there were no reserves. No. 1 treaty still stands and it will stand as long as the sun shines and the river flows.

*Chairman Prince.*—I was one of the members to go to Ottawa, to speak for your treaty rights. When I asked Hon. Mr. Glen if the Stone Fort treaty of 1871 still stood fast his answer was yes. I asked then if they were just as firm as the day they were made. My answer was yes.

*Delegate Councillor G. Shanneappo.*—The surrender of our country was made to the depth of a furrow which is six inches of land, and not the minerals, water and hunting rights and other things and these were the treaties made in 1871.

*Delegate Chief James Murdoch.*—I was one of the delegates to go Ottawa to speak of the treaties of 1871. We spoke of Queen Victoria's treaties such as water rights, and that we are dominated by the Indian Act.

*Delegate Chief James Wilson.*—I was one of the members to go to Ottawa to speak for my people. Such as fishing rights and trapping and hunting rights and about the reserves. I wish that some day we will all be united with our grievances and will be stronger to be united with other provinces. We also spoke of the Old Age Pension.

—Moses McKay of Fisher River then read the copy and memorandum of the Stone Fort treaty which was made in August 3, 1871.

*President J. B. Tootosis of Cutknife, Sask.*—I am glad to have the privilege to speak in your association.

I am glad to hear that you are all interested to be united in the Dominion of Canada. Each individual reserve on our union of Saskatchewan has persented a brief to the House of Commons and the Senate. Your leaders are speaking for you, it's for you, the people, to give the grievances to them. We ourselves can't only speak for ourselves. You must have a brief of grievances from each of your reserves for the Senate and the House of Commons. The honourable members of Parliament say to be all in one for your treaty rights just like our soldiers who fought overseas, like one main body and we here tried our best to help them from over here. Let us get together, let us not let the Government say we can't pull together.

*Chief Thomas Jones of Cape Croker, Ont.*—The chairman and president of your association. I did not come for nothing. I think a lot of you my fellow Indian brothers and I certainly like to unite with you my fellow brothers.

I am the only one in my country to have payment of my treaties that were made by my forefathers. I was a school teacher for twenty years. I can show that I can equalize with the white man. At present I can say that I can't represent Ontario. However I will ask you to give me a little

brief so that I can take it home and show my people of what you speak of your treaty rights. In my country, in Ontario, each reserve donates \$25 and that's for the delegates to go to the House of Commons.

*Thomas Meno of Norway House, Man.*—I am glad I have a chance to say a little. I am glad to hear these members speak of our new treaty rights and that they are making briefs to the House of Commons.

*Councillor Alphonse Smith of North Bay, Ont.*—I do not have much to say only I would like to have a brief to take home to my people and show them what the Manitoba Association is doing.

Meeting closed.

Meeting resumed December 4 and opened by Chairman Prince at 9.50 a.m.

*President Anderson.*—My friends we continue the meeting. We are still on the subject of our treaties of 1871. Let us finish the subject first.

*Chairman Prince.*—The chiefs and councillors and all the people. This morning I will introduce to you Hon. Bryce who will listen to your grievances and will take them to present them in the House of Commons. I ask the chiefs from every reserve to write out a brief of grievances concerning your reserves and treaties which have not been complied with we will then present them to Hon. Bryce which in turn he will present to the House of Commons and the Senate.

*William Bryce, M.P. from Selkirk.*—My friends. I am glad to have the privilege to sit in on your meeting. I was with the Royal Commission in the Maritime provinces in the east, that trip took about three weeks.

We estimate that it would take much longer to go to the western provinces. In 1947 there might be a Royal Commission similar to that which went east. I will be glad to accept your written briefs and to present them to the joint committee of the House and the Senate. You just can't go to the House and speak by word of mouth, you must take a written brief. So then put them in black and white.

Chiefs then came forward presenting briefs while the council continues.

*Chief Bignell of the Pas.*—To the Manitoba Indian Association. From what I understand the treaties of 1871 is not being complied with. I have my medals and my parchment of my treaty. Treaties broken like as my men were apprehended for shooting ducks and geese in the reserve. Taken by police and game guardian and six men of my band paid fines of \$10 each for shooting ducks in the reserve.

*Councillor Strong Eagle* . . . "I do not have much to say, I am with our president of Saskatchewan, John B. Tootoosis. Our president is working for us he is not the boss of himself and he works very hard for us. I thank you for to let me speak and let us all now be united."

*Chief Frank of Indian Bay, Ont.* . . . "

I believe that should be Chief Frank Kabestra.

"I am glad to have a little speech. I do not have much to say. I have written a brief to present. I thank you all."

*Angus Prince of Saint Peters, Man.* . . . "I am glad to have the privilege to have a few words concerning our treaties. I have been working on treaties. I never have any backward mind and that I present to the members and the government that the treaties were broken by fraud and crookedness. I am a bold man and I am not backward to fight my rights. I will not say much now. Later I will say more on the St. Peters question."

(The newspaper men and photographers present took pictures.)

Meeting opened by chairman Prince at 9.30 a.m.

*President H. G. Anderson*... "To all chiefs and councillors and members. I am very glad to have my friends from the other provinces and we promised that we will pay the delegate's fares. I ask the audience to donate money as we have to spend a lot of money on papers to be typed and also stamped and the fares to go to Ottawa."

*Councillor G. Shanneappo of Rolling River*... "This council meeting is still about the 1871 treaties which we will abide by. We find No. 1 treaty is the core of other treaties. I ask J. B. Tootoosis of Saskatchewan if we unite that we work and abide by the 1871 treaties. I ask you now."

*President J. B. Tootoosis of Saskatchewan*... "In answer yes. We will work on the treaties numbers 1 to 11."

*Chief Thomas Jones*... "I can't have much more to say but the Indian agent is a dictator to all the Indians. You can't get around the fact the Indian agent does not help us so we must make our briefs to make this attack in the House and the Senate."

"When we get through, we will take over the Indian agent's job. Throughout Ontario as was the treaties made we like to see Manitoba do the same as we are doing and we can go right through all together. If we told the Indian agent he would not listen to you because he is put there by the government. I do not come here to dictate to Manitoba. If we win through these briefs on the attack in the House of Commons then we would not need an Indian agent any more. From what I can understand from J. B. Tootoosis why do we not get the national unity of the Brotherhood and unite all together as one people. My fellow Indians, shed a tear and we will make a prayer; let us think of the Almighty first. Like before I left I prayed to God and laid our lives in his hands. My wife and I travelled three days to get here. I prayed to the Great Spirit to give us strength to go through with this. I like you to shake hands with my wife as she is very interested with our affairs. I hope and pray that the M.I.A. will have success."

May God help your speakers and help them to perform their duties in an honest way with a smile. I thank you all very much.

*President H. G. Anderson*: We will extend this meeting one more hour.

*Chief Thompson*: We are all in favor to unite in National unity. All those in favor raise their hands.

—All raised their hands.

*Chairman Prince*: To all members, Chiefs and Councillors and our fellow brothers from other provinces. I thank you all very much. I am very sorry as yet we did not meet with Andrew Paull of British Columbia. I am all in favor of a national unity. Our written briefs will be much stronger to present before the House and the Indian affairs branch too is working hard and we must work too and compromise with the government concerning our treaties; my main factor is education. We would understand each other much better. I think we will find after we compromise with the government the Indians will have have better living in the future.

*Chief Thomas Jones*: Will you make a motion that you are in favor of the national brotherhood.

*Chairman Prince*: On this motion we could not bring it to a vote as that's a white man's way. We do not wish the MIA to vote as that would make the Indian Act stronger. However we are all in favor of a national unity. (Angus Prince is called to tell facts and frauds of the said St. Peters Question—in the middle of his speech he is interrupted by Chairman Prince).



I'm sorry our friends of other provinces are leaving at once. Concerning the St. Peters question that I am looking into would you witness and make a statement in the St. Peters question. I understand when the so called surrender was made did they not get a receipt from the agent at Selkirk on their way to locate a new reserve in Fisher River. They were to pick up one gallon of whiskey in Gimli and did they not get one gallon liquor from the agent before they left in Selkirk. This is a fraud.

*Angus Prince:* Yes I will witness that and make a statement and also I know other witnesses that seen it with their own eyes.

*Chairman Prince:* Thank you, that's all we wanted to know to prove it's a fraud.

*Chief Thomas Jones from Ontario:* Mr. Prince, will you make that statement and sign and an affidavit and hand it to me. That is what I've been looking for.

*J. B. Tootoosis:* This is what I've been looking for. I believe if you show that you can take the reserve back we will find other treaties will be better. Thank you.

*President Anderson:* In the closing of this council we will ask Chief Thomas Jones to say a prayer for us.

(Meeting closed at 1.30 p.m. Dec 5, 1946.)

#### THOMAS PRINCE

I refer to a matter here, the St. Peter's question. I am sorry our un-affiliated Indian Mr. Flette is not present or he would tell you more about the so called St. Peter's question and the Peguis band.

The CHAIRMAN: I would refer the committee to page 36 of the 1946 minutes of proceedings for a synopsis of the treaties for Manitoba and the Northwest Territories which have been referred to. I would also refer the committee to the briefs presented by Mr. Bryce on page 42 of the 1947 minutes of proceedings. Mr. Matthews, the other member of the committee from Manitoba, who is, I believe, from the southern part, around Brandon, has his brief presented at page 89 and at page 318. Unfortunately the public has not the opportunity of seeing the very excellent photographs appended to each of those briefs showing, in Mr. Bryce's case, the different developments of northern part of Manitoba. Mr. Matthews' brief shows the work that has been accomplished by the Indians of the southern part of Manitoba.

Now I understand that Chief Murdoch has a brief to present.

I should say to the committee at this time, as is our usual practice, there will be ample opportunity given after the presentations have been made for questioning of the various witnesses.

Chief Murdoch, is it your desire that Mr. Prince present your brief?

Chief MURDOCH: Yes.

The CHAIRMAN: Mr. Prince points out to me that there is another matter on which he would like to say a few words. He suggested that it might be brought up during the question period. It concerns the veterans' allowances and veterans' land affairs. I have advised him that on the odd chance that Colonel Harkness or some of the other members vitally interested in that phase might not be here later, it perhaps would be as well if he would now bring up the matters he wishes to discuss in respect to veterans' affairs.

The WITNESS: Thank you Mr. Chairman. As you know I am a veteran and I am very interested in veterans' affairs. There have been quite a few young Indian veterans whose cases have been brought to my attention. The grant they are getting at the present time is not enough. However, I have a circular letter here with which I believe the majority of the committee are familiar. It is P.C. 5932 dated at the government house at Ottawa, Friday, the 7th day of September, 1945.

His Excellency

The Governor General in Council:

Whereas by Order in Council of the 13th of April, 1945 (P.C. 2122) the Veterans' Land Act, 1942, was amended by deleting Section 35 and substituting therefor Sections 35 and 35A, the latter reading—

- (1) The director may grant an amount not exceeding \$2,320 to an Indian veteran who settles on Indian reserve lands, the said grant to be paid to the Minister of Mines and Resources who shall have the control and management thereof in trust for the said Indian veteran.
- (2) A grant made pursuant to subsection (1) of this section shall be disbursed by the Minister of Mines and Resources on behalf of the Indian veteran only for one or more of the following purposes:
  - (a) For the purchase of essential building materials and other costs of construction.
  - (b) For the clearing and other preparation of land for cultivation.
  - (c) For the purchase of essential farm livestock and machinery.
  - (d) For the purchase of machinery or equipment essential to forestry.
  - (e) For the purchase of commercial fishing equipment.
  - (f) For the purchase of trapping or fur farming equipment but not breeding stock.
  - (g) For the purchase of essential household equipment.

I refer to the first subject which was passed under section 35 and 35 (a).

The director may grant an amount not exceeding \$2,320.00 to an Indian veteran who settles on Indian reserve lands, the said grant to be paid to the Minister of Mines and Resources who shall have the control and management thereof in trust for the said Indian veteran.

I would ask the members of the committee, Mr. Chairman, how can we better the living conditions of Indian veterans if they do not own the piece of land they are granted. The said \$2,320 is paid to the Minister of Mines and Resources, who shall have the control and management thereof in trust for the said Indian veteran.

There are some 3,000 young Indian men who fought on the other side of the water for their King and for their country. Those Indian veterans had responsibilities in the army and they carried out those responsibilities to perfection in the biggest majority of cases. Here we have a grant to be paid, not exceeding \$2,320, paid to the Indian veteran but which will be held by the Minister of Mines and Resources. In other words my point is that this \$2,320 is paid to the Minister of Mines and Resources and the Indian veteran has nothing to say about it and he is treated just as a common labourer. How can we better conditions for the Indian veteran if we do not give them the privilege of practising their ability and showing their fellow Indians an example.

The CHAIRMAN: Now, would you like to present the brief from Chief Murdoch?

The WITNESS: Yes.

KOOSTATAK, MANITOBA,  
May 24, 1947.

The Secretary,  
Department of Indian Affairs,  
Ottawa, Canada.

DEAR SIR,—On behalf of the Fisher River Band of Indians in the province of Manitoba, I respectfully beg to direct your attention to my letter of January 10 as published in the Minutes of Proceedings under date of March 20 last, Books No. 5 and 2, 1946. (Appendices BF and CT).

We reiterate the requests made in that letter and would ask your kind consideration of our needs, the bringing into effect of which mean so much to us and many others.

Requests No. 7, No. 1 and No. 12 are of primary importance and, coupled with request No. 4, are endorsed by the Indian bands of Jackhead, Lake St. Martin, Poplar river, Berens river and Bloodvein river.

Yours respectfully,

(Signed) JAS. A. MURDOCH, *Chief*,  
Chief of the Fisher River Band.

We, the undersigned Chiefs

Signed Chief Cubby Nanawin, Poplar River,

N. Asham, Chief, Peguis Reserve.

At a general meeting of the Fisher River Indian Reservation Association on..... regarding its points of view on matters concerning the Indian Act, the following resolutions have been passed.

1. *Treaty rights and obligations.*

The Indians have been faithful to observe the treaty obligations, and they expect that their rights guaranteed, shall all be safeguarded, specially their hunting privileges, also their exemption from military compulsion.

2. *Band membership.*

This matter being of public interest, the band should be consulted for the admission of children born out of wedlock and of adults from other reserves, and its favourable vote should be ratified by the Indian Affairs Branch.

3. *Liability of Indians to pay taxes.*

The fact that the Indians have been always considered as wards of the government, consequently as minors, again the low condition of most Indians in housing conditions and in deficient diet, militate in favour of their exemption from at least those taxes that are easy to compute and deduct.

4. *Enfranchisement of Indians.*

As the treaty has been made solemnly for a period measured only by the end of the sun's course and of the water flow, the Indians should not be compelled to leave their benefits, and members could relinquish their privileges only with a favourable vote of the bands.

5. *Eligibility of Indians to vote.*

It is likely that parliament members elected by the whites, if given an Indian vote would consider the Indian problem as the last and least of their cares. Therefore, special representatives should be appointed to defend the Indian rights and obtain the social progress needed on all the reserves.

6. *The encroachment of the whites.*

The Indian reserve should be respected as the sacred relic of former vast and rich domains. It should be seen that, instead of taking advantage of the Indians, the whites should rather help and encourage their elders in this country.

7. *The operation of day and residential schools.*

(a) Principle. The Christian religion having been the main factor in the rapid civilization of the Indians, it being the best asset of true education and the soundest formation to orderly citizenship, we strongly insist that day and residential schools be maintained under christian auspices, as provided in the Indian Act.



(b) Operation. In our residential school, for better training, we ask modern equipment. We hope also to obtain for some of our boys a mechanical training that will fit them better for their future work.

8. *Other problems.*

(a) Old age pension. The Indians, living side by side with the whites, should not be in an inferior and dejected state when they reach their last winters on earth, but they should be treated as well as their brethren of poor means.

(b) Development. The Indians are expected to progress as the whites. Therefore, as the whites, they need roads, bridges and ditches on their reserves.

*Signed:*

Chief Jas. A. Murdoch,  
Fisher River Reserve,  
Chief Cubby Nanawin,  
Poplar River Reserve.

Hon. Mr. Taylor, joint chairman, took the chair.

The CHAIRMAN: Have any other delegates any further submissions to make to the committee?

Chief THOMPSON: I have not very much to say before the committee. I have my brief presented by Mr. Prince who is head spokesman and he has everything there. Also last winter I forwarded my brief to Mr. Bryce to be brought up in the House of Commons. That is all I have to say at the present time.

The CHAIRMAN: Those are now in our records.

Have you a brief, Mr. Guimond?

Mr. GUIMOND: Yes, I have.

The CHAIRMAN: Have you any idea how long it will take to present it?

Mr. GUIMOND: It should not take very long.

The CHAIRMAN: Well, would you come forward then, please?

**Boniface Guimond, Secretary, Fort Alexander Catholic Association, called:**

*By the Chairman:*

Q. I would ask you, Mr. Guimond, what organization you represent?—

A. The Fort Alexander Catholic Association.

Q. Have you any position in that organization?—A. I am secretary of the association.

Q. How long have you been secretary?—A. We were just organized about a year ago.

Q. The association has been organized recently?—A. Yes it was organized about a year ago.

Q. Is it the wish of the committee to hear Mr. Guimond?

Agreed.

Q. Well will you just go ahead with your presentation?—A. Mr. Chairman, honourable members of the Senate and House of Commons:

As representative of the Catholic Indians of the province of Manitoba, I wish to express our desires regarding schools, hospitals, social welfare and council freedom.

1. *Schools.* We wish to retain denominational residential and day-schools, as the continuation and the complement of our children's christian life at home.

2. *Hospitals.* Whenever there is a Catholic hospital or sanatorium at a reasonable distance, we ask the right of being admitted to it, so that we may enjoy the religious atmosphere required during the time of physical suffering and specially at the time of death.

3. *Social Welfare.* Many of us are seriously handicapped by poor housing, bad roads, lack of agricultural help, dejection of the aged and sickly people.

Whenever there is an evident incentive on the reserve for progress, help should be given for better houses, good roads, farming equipment and loans to those who really want to help themselves.

Old age pensions, mothers' allowances, adequate provision to the invalids, would eliminate the inferiority complex, as well as compensate for the vast domains ceded in the treaties.

4. *Elective Freedom in the Council.* Much self-reliance and an urge to progress would ensue, if an order-in-council was passed at once for the elective system in all the reserves where the majority of the Indians desire it. and if, at the same time, more and more power was left to the council for the management of the local affairs with the friendly cooperation of the Indian agent.

It is our aspiration, as time goes on, to become less and less a burden to the government, provided we can be put on our feet through a wholesome programme.

Respectfully submitted,  
Boniface Guimond.

The CHAIRMAN: If there are no further submissions from the delegates at the present time we will adjourn to meet at 4 o'clock in this room when we will proceed to question the witnesses.

The meeting adjourned at 12.50 p.m. to meet again this afternoon at 4.00 p.m.

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#### AFTERNOON SESSION

The committee resumed at 4 o'clock.

The CHAIRMAN: Gentlemen, we will proceed. If there are no other witnesses to present briefs, I think it will be in order if we were to recall Mr. Prince for questioning. Would you come forward, Mr. Prince?

#### Thomas George Prince, M.M., recalled:

The CHAIRMAN: Now, if we have questions to submit I think it would be well to start with Mr. Matthews. He is one of the members from Manitoba and he has a deep interest in all Indian affairs.

*By Mr. Matthews:*

Q. I have very few questions, Mr. Chairman. I understood the witness to say in one of the briefs he presented that he was in favour of the Indian Act being abolished altogether. Did I get that correctly?—A. Yes.

Q. You would abolish the whole thing?—A. Abolish the whole thing.

Q. What would you have in its place?—A. The original treaties.

Q. Then I understand from that, that if the original treaties were complied with, no more and no less, that would be satisfactory?—A. The Manitoba Indian Association, representing the Indians of Manitoba, ask for the original treaties; and they ask that the Indian Act be abolished.

Q. Yes?—A. And if they abolish the Indian Act, then go by the original treaties, and in my opinion that would be satisfactory.

Q. That is, there would be nothing else asked for except the treaty in its original terms?—A. Keeping the terms of the treaties.

Q. For instance, you would not ask for a tractor or machinery of any kind?—A. On the contrary, the original treaty and the attached parchment—that is the original No. 1, the treaty which has not been complied with—would make up for not asking for a tractor.

Q. You feel that it would?—A. Yes.

Q. So that if the original treaty were complied with you would be happy to ask for nothing else?—A. Absolutely.

*By the Chairman:*

Q. How about old age pensions?—A. Take the original treaty, if it were complied with in accordance with its terms one would not have to ask for anything, naturally; because you are getting them all. The thing is, how long will it stand? That is what we are interested in knowing.

Q. How long will what stand?—A. Will they go back to the full fulfilment of the terms.

Mr. MATTHEWS: What do you mean by that?

The WITNESS: The original treaty which was entered into on the third of August, 1871, covers it. There is a large amount which would come through it which would supply the Indians.

The CHAIRMAN: Have you got that treaty with you?

The WITNESS: Yes, sir.

Mr. LICKERS: He read the terms of that this morning.

The WITNESS: Yes, the terms of that treaty. That is the original treaty and this is the book on it, sir; and the £25. The reason I asked for the tractor, you see we haven't been getting this for the past 75 years. That is why I asked for a tractor.

*By Mr. Matthews:*

Q. Would you elaborate now and tell the committee what that treaty provides very definitely that you have not been getting; and then, on the other side, tell us what you have been getting which the treaty does not provide.—A. Would you repeat that, please?

Q. Tell us what the treaty provides for that you are not getting; and, after you have done that, tell us what you are getting that the treaty does not provide for. I would like to get those two sides of it on the record together.—A. According to the terminated treaty, the original treaty of the third of August, 1871—I think that covers practically everything, particularly administration which you have seen disappearing.

Mr. CASTLEDEN: You mean the Indian administration?

The WITNESS: The Indian administration disappeared; and the trapping and the hunting rights are all being taken over. They are taken over by the provincial government. Now we are not getting them. Rightly, I understand that the prairie rehabilitation and conservation block was really put up for the Indians. There is a very small thing for us there.



The CHAIRMAN: All right. On that point we have Mr. Conn here to speak for the conservation administration. He is the administrator; and he would like to discuss the question of fur conservation with the committee in the presence of these Indians, probably off the record.

Mr. BRYCE: It doesn't need to be off the record.

The CHAIRMAN: Some of this we want off the record. Then we can decide if we want it put on the record. We are thinking of the advantage of the Indians. It is not to the advantage of any of us. If that is your pleasure; if it is not your pleasure, then we can have it put on the record. But we must keep in mind that this is for the good of the Indians with whom we are concerned. Probably tomorrow we could have that.

The WITNESS: So much for fur-trapping and hunting.

Mr. MATTHEWS: You are prohibited from trapping and fishing during the closed seasons?

The WITNESS: Yes, during the closed seasons.

The CHAIRMAN: Might I interrupt?

Mr. MATTHEWS: Yes, Mr. Chairman.

The CHAIRMAN: We have treaty No. 1 at page 313 of the book by Alexander Morris. It is referred to in the citation which was given to us this morning and contains the treaties of Canada with the Indians of Manitoba. It is not very long. Would you like to have that incorporated?

(Discussion proceeded off the record.)

I was referring to page 313 of the Morris book where treaty No. 1 is set forth. I see it is only a couple of pages. Would you like me to read the pertinent parts of this treaty; or would you suggest having it all put on the record?

Mr. MATTHEWS: I think it should be read.

The CHAIRMAN: Is that agreeable to the committee?

Agreed.

It is not your intention that I should read all of it. I will read those parts which are obviously pertinent.

The Chippewa and Swampy Cree Tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender, and yield up to Her Majesty the Queen and her successors for ever, all the lands included within the following limits, that is to say:

I don't need to read any more of that.

And with a view to show the satisfaction of Her Majesty with the behaviour and good conduct of her Indians, parties to this treaty, she hereby, through her Commissioner, makes them a present of three dollars for each Indian man, woman and child belonging to the bands here represented.

And further, Her Majesty agrees to maintain a school on each reserve hereby made, whenever the Indians of the reserve should desire it.

Within the boundary of Indian Reserves, until otherwise enacted by the proper legislative authority, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force or hereafter to be enacted to preserve Her Majesty's Indian subjects, inhabiting the reserves or living elsewhere, from the evil influence of the use of intoxicating liquors, shall be strictly enforced.

Her Majesty's Commissioner shall, as soon as possible after the execution of this treaty, cause to be taken an accurate census of all the Indians inhabiting the district above described, distributing them in families, and shall in every year ensuing the date hereof, at some period during the month of July in each year, to be duly notified to the Indians, and at or near the respective reserves, pay to each Indian family of five persons the sum of fifteen dollars Canadian currency, or in like proportion for a larger or smaller family, such payment to be made in such articles as the Indians shall require of blankets, clothing, prints (assorted colours), twine or traps, at the current cost price in Montreal, or otherwise, if Her Majesty shall deem the same desirable in the interests of Her Indian people, in cash.

That, I believe, is the sum and substance to be confirmed to these people under this treaty No. 1.

Now, let us turn to treaty No. 3, also known as the North-West Angle treaty (starting at page 320). A synopsis of that is in the 1946 record at page 36. Probably we could refer to that synopsis. Have you got it here?

Mr. LICKERS: That treaty also put in by Mr. Tom Roy.

The CHAIRMAN: For the purpose of answering these questions put by Mr. Matthews we might just find out what the treaty gives to the Indians. This is from page 323, reading from the North-west Angle treaty, No. 3:—

And with a view to show the satisfaction of Her Majesty with the behavior and good conduct of her Indians, she hereby, through her Commissioners, makes them a present of twelve dollars for each man, woman and child belonging to the bands here represented, in extinguishment of all claims heretofore preferred.

Mr. FARQUHAR: Does that mean \$12 a year?

The CHAIRMAN: No, it is final. It is a sort of quit-claim deed; the payment of \$12 in extinguishment of all claims. Continuing:—

And further, Her Majesty's agrees to maintain schools for instruction in such reserves hereby made as to her Government of her Dominion of Canada may seem advisable, whenever the Indians of the reserve shall desire it.

Her Majesty further agrees with her said Indians, that within the boundary of Indian reserves, until otherwise determined by the Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or hereafter to be enacted to preserve her Indian subjects inhabiting the reserves, or living elsewhere within her North-West Territories, from the evil influence of the use of intoxicating liquors shall be strictly enforced.

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her Government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said Government.

It is further agreed between Her Majesty and her said Indians that such sections of the reserves above indicated as may at any time be required for public works or buildings, of what nature soever, may be appropriated for that purpose by Her Majesty's Government of the Dominion of Canada, due compensation being made for the value of any improvements thereon.

And further, that Her Majesty's Commissioners shall, as soon as possible, after the execution of this treaty, cause to be taken an accurate census of all the Indians inhabiting the tract above described, distributing them in families, and shall in every year ensuing the date hereof at some period in each year, to be duly notified to the Indians, and at a place or places to be appointed for that purpose within the territory ceded, pay to each Indian person the sum of five dollars per head yearly.

It is further agreed between Her Majesty and the said Indians, that the sum of fifteen hundred dollars per annum shall be yearly and every year expended by Her Majesty in the purchase of ammunition, and twine for nets for the use of the said Indians.

It is further agreed between Her Majesty and the said Indians, that the following articles shall be supplied to any band of the said Indians who are now actually cultivating the soil, or who shall hereafter commence to cultivate the land, that is to say—two hoes for every family actually cultivating; also one spade per family as aforesaid; one plough for every ten families as aforesaid; five harrows for every twenty families as aforesaid; one scythe for every family as aforesaid; and also one axe and one cross-cut saw, one hand saw, one pit saw, the necessary files, one grindstone, one auger for each band, and also for each Chief for the use of his band, one chest of ordinary carpenter's tools; also for each band, enough of wheat, barley, potatoes and oats to plant the land actually broken up for cultivation by such band; also for each band, one yoke of oxen, one bull and four cows; all the aforesaid articles to be given once for all for the encouragement of the practice of agriculture among the Indians.

It is further agreed between Her Majesty and the said Indians, that each Chief, duly recognized as such, shall receive an annual salary of twenty-five dollars per annum, and each subordinate officer, not exceeding three for each band, shall receive fifteen dollars per annum; and each such Chief and subordinate officer as aforesaid shall also receive, once in every three years, a suitable suit of clothing; and each Chief shall receive, in recognition of the closing of the treaty, a suitable flag and medal.

And I see that you have some medals with you. I presume those are the medals to which reference is made. The rest of it as to the Indians maintaining their end of the bargain, and I think that is about all. Correct, gentlemen?

So, those are the treaties.

You see, what we are trying to do, Mr. Prince; we want you to feel perfectly satisfied that you have had an absolutely unbiased hearing and a full hearing and we want it to be a satisfactory hearing. We would like to discuss these matters and try to iron out the differences. I should not say differences, because we have no differences. What we are trying to do is help the Indian to help himself. By these treaties I see that you got a lot of things that you need, most of them being given to the band, not to the family.

The WITNESS: I know it is given to the band.

Mr. FARQUHAR: All these things were given a good many years ago.

The CHAIRMAN: Oh, yes; I assume so. We have not had any evidence that they have not been given to the Indians.

The WITNESS: I think you will find that they have not been given for quite a few years. For as long as I have been living I did not see anything coming up, very little.

Mr. CASTLEDEN: One of the provisions is for a uniform for the chiefs and head men; and then there are the implements and the seed and so on.

The CHAIRMAN: I will read it again, if you like.

Mr. CASTLEDEN: At least there were further things to be given.



The CHAIRMAN: It says:

... all the aforesaid articles to be given once for all for the encouragement of the practice of agriculture among the Indians.

Mr. CASTLEDEN: I was referring to the material just before the enumeration of the articles.

The CHAIRMAN:

It is further agreed between Her Majesty and the said Indians, that the following articles shall be supplied to any band of the said Indians who are now actually cultivating the soil, or who shall hereafter commence to cultivate the land, that is to say—

Is that what you referred to?

Mr. CASTLEDEN: Yes.

The CHAIRMAN: It goes on to say these will be given to those who are now actually cultivating the land and "who shall hereafter commence to cultivate the land."

Mr. CASTLEDEN: Would that be interpreted to mean that any Indian following the signing of that treaty who commenced to cultivate the land would be entitled to grants of that kind?

The CHAIRMAN: It says, "the following articles shall be supplied to any band of the said Indians", and it goes on; but the point is that the band shall be given this. This is probably taking up the time of the committee, but I think it is worth while if we can satisfy to some extent the claim that is made by these people. Because you can see, Mr. Prince, you are a very reasonable individual and I know that it is your desire to get this thing straight, just as we are desirous of getting it straight. Take the clothing for your chiefs and other head men, are those things in the treaties on which you are depending, Mr. Prince?

The WITNESS: It is attached to this revision of No. 1 and No. 2.

The CHAIRMAN: Where are the revisions of treaty No. 1 and treaty No. 2?

Mr. PATRICK: They are in that book of Morris's which you have there.

The CHAIRMAN: This is a memorandum showing things outside of the treaties which were signed. Apparently these were matters which were forgotten. They were brought out in the brief which Mr. Prince has submitted. I notice here that there is provision for each chief "except Yellow Quill". Why was Yellow Quill excluded, do you know? That will be found at page 126, and it provides as follows—this is from the memorandum of things outside of the treaty which were promised at the treaty at the Lower Fort, signed the 3rd day of August, 1871:—

For each Chief that signed the treaty, a dress distinguishing him as Chief.

For braves and for councillors of each Chief, a dress: it being supposed that the braves and councillors will be two for each Chief.

For each Chief, except Yellow Quill, a buggy.

For the braves and councillors of each Chief, except Yellow Quill, a buggy.

In lieu of a yoke of oxen for each reserve, a bull for each, and a cow for each Chief; a boar for each reserve, and a sow for each Chief, and a male and female of each kind of animal raised by farmers; these when the Indians are prepared to receive them.

A plow and a harrow for each settler cultivating the ground.

These animals and their issue to be Government property, but to be allowed for the use of the Indians, under the superintendence and control of the Indian Commissioner.

The buggies to be the property of the Indians to whom they are given.

The above contains an inventory of the terms concluded with the Indians.

Mr. BLACKMORE: Mr. Chairman, the Indians probably would be interested in knowing whether the government would advance a plow now to each Indian if he goes into farming.

The CHAIRMAN: I think from what we have heard in evidence here that to the Indian who was industrious and who wanted to advance himself they would. At least, if they did not supply him with a plow they would supply him with the money with which to buy a plow. I think the principle involved here is that they are desirous of helping the Indian to help himself. I do not think we, as a committee, want to get the idea abroad that we have been created as a committee for the purpose of giving the Indian something for nothing because they do not want that.

The WITNESS: No, we do not want that. The thing is this abolishment which is referred to. It was made one year ago and we know it is very hard to break.

Mr. BLACKMORE: Mr. Chairman, I wonder if Mr. Prince would explain his last statement. He left out some words so I could not catch what he meant.

The WITNESS: That is the effect of this document which I read out and presented before this honourable session. It stated that they wished to abolish the Indian Act, the complete abolishment of the Indian Act; for they are having a hard time with the Indian Act. The reason that they want it abolished is that it dominates them as such. If the Indian Act has anything to help the Indians they do not get it. That is the reason they wanted it abolished. You see my point of view?

Mr. BLACKMORE: Very clearly.

The WITNESS: For instance, the Indian Act states that the Indian is entitled to such and such; they do not comply with that. For instance, I will refer to Fort Alexander Indian band and to Chief Thompson and his wild rice picking. In the Indian Act it states that the Indians can trap and hunt or have any vegetation that they can have supplied or make in any excess land, dominion Crown lands, at the time the Indian Act was made. Now, we have the said bands and other Indians all coming to Rice lake. They come in to make their rice and they are being charged \$1 a head at one lake before they can go in and make rice. Now, this is a God-given vegetation taken from the earth which I term excess land. For instance, take Williams lake—

*By the Chairman:*

Q. To whom do they pay that dollar?—A. The provincial government. I think you will find I have the receipts here. Take the case of Williams lake—

Q. These receipts are for gathering wild rice on lands which are owned by the provincial government; they are not on any reserves?—A. No, they are not on any reserves. This is on Crown lands.

Q. Provincial Crown lands?—A. Yes. At one time it was dominion Crown lands.

Q. They are now provincial government lands?—A. Yes, provincial government lands. Now, this Williams lake is in Pointe du Bois, and the Indians have been making rice all their lives. Now a certain individual, Mr. Williams, won't allow the Indians to sell to anybody else but him.

*By Mr. Blackmore:*

Q. Who is Mr. Williams?—A. He is a certain gentleman. I believe Mr. Thompson can answer that question better than I can.

*By the Chairman:*

Q. Let us get this matter clear. This is not on an Indian reserve?—A. No, it is not on an Indian reserve; it is on excess land.

Q. It is not on an Indian reserve. The rice is not worked on an Indian reserve and the money is not paid to the federal government?—A. No.

Q. I am wondering about this matter. For instance, Indians in other parts of the country feel that they should be allowed to take basswood from any place where they can find it. Now, it is the same thing in this case. You say that there is wild rice there and you say that the wild rice is not on the reserve, but you think you should have the right to go and get it in spite of the provincial law. You see that is where we are running up against the same problem we did in the maritimes.

Mr. BRYCE: The trouble lies here. When the natural resources in Manitoba were handed over to Manitoba government there was a change made. Everything was all right up until that time. The Indian department is a federal department and this was all dominion land at that time. It then became provincial land and the provincial government made the laws, and they made them according to their right, having the natural resources of the province; but when the dominion handed over these rights to the province they did not protect the treaty agreement they had with the Indian.

Mr. RICHARD: They could not give twice what they had already given. If the Indian had certain rights to this land which was afterwards transferred to the provinces, something was attached to these rights and, therefore, they should have been excluded.

The CHAIRMAN: We are getting a legal discussion here.

Mr. BRYCE: We are bound to get into some trouble because there are some people who have no lawyers, so we have to take this opportunity.

The CHAIRMAN: It might be well to do as they do in the United States—to recommend at some stage of our proceedings that an Indian Claims Commission be set up for the purpose of dealing with the various treaties in various parts of Canada and have the Indian come or forward his case, and let the governmental authorities put forth their case, and if there is found to be any claim then, of course, there will be satisfaction given to the Indian reserve or band which will be final. What we are trying to do, as I see it, is to recommend to parliament that which will be applicable to Indians all over Canada. It will be fair and it will be equitable. Now, we can probably argue about treaty rights and obligations from now until doomsday, but in the first place we have not any authority to come to any conclusion.

Mr. BLACKMORE: We have the responsibility and the authority to discover the grievances from which the Indians are suffering.

The CHAIRMAN: I am suggesting that probably the proper forum before which this discussion should take place would be a properly constituted commission which might have authority to make certain findings and to give certain relief where relief is necessary.

Mr. BLACKMORE: Mr. Chairman, I agree that our responsibility might be conceived as having been discharged when we are sure that such commission is appointed, but until that commission is appointed it is our responsibility, according to my point of view.

The CHAIRMAN: Our responsibility is to find out all the facts we can.

Mr. BLACKMORE: And the grievances.

The CHAIRMAN: And make a recommendation to parliament and parliament will act. Now, of course. I am wondering how far we are going in finding out facts on these matters. I am suggesting that we do as they do in the



United States where they have a properly constituted commission which has the ability and the authority to handle such matters. It is entirely up to the committee whether they want to go on with this matter.

Hon. Mr. JOHNSTON: Would it be true to say that when the transfer of the natural resources was made to the western provinces the rights of the Indians—the fishing rights and the hunting rights and the rice-making rights which we are speaking about at the moment—were not guaranteed to the Indians in that part of the agreement?

Mr. BLACKMORE: That is where the trouble was.

The CHAIRMAN: That is what is contended. Frankly, I do not know. None of us have exhaustively studied all the legislation available on this subject.

Mr. BLACKMORE: When we were listening to the Ontario Indians I was impressed time and time again with the seriousness of this neglect of which the dominion government was guilty when it turned over the natural resources to the provinces. It had never taken any precaution, apparently, to safeguard the sacred trusts which had been guaranteed to the Indians by treaty.

The CHAIRMAN: Assuming that that is so, Mr. Blackmore, personally my interest is that if there have been any shortcomings of any parliament in the past—fifty years or more ago—that we shall now set about to rectify them.

Mr. BLACKMORE: That is right. That is my opinion, too.

The CHAIRMAN: And we should go about it in the most equitable manner and the fairest manner to give satisfaction.

Mr. BLACKMORE: As one member of the committee, what I would think would be that in so far as we can discover these grievances, these deficiencies, as we progress in the committee, we should do that.

The CHAIRMAN: Suppose we go ahead and find a great many of them. We can recommend to parliament and parliament might probably set up somebody to go into that matter all over again, and our time here would have been wasted.

Mr. BLACKMORE: I do not see why, Mr. Chairman.

Mr. BRYCE: Look, Mr. Chairman, I think we can cut this argument short. We have Mr. Hoey here. I do not know whether he is the officer in his department who can answer this question of whether the rights of the Indians were protected when the natural resources were handed back to the provinces, but if he can answer that we will put it on our record and let us get on.

Mr. HOEY: Mr. Chairman, probably I can shorten this discussion. I took part in the conferences leading to the return of the natural resources to the western provinces—not one province, but a number. I have not the final agreement in front of me at the moment, but there is one clause in there that relates to land allotment. That is to say that if the land allotment in Alberta was below that for which provision is made in the treaty we could go to the province of Alberta and secure from them provincial lands to make up the necessary quota; but it so happens in Alberta now that the land in the possession of the Indians exceeds the original allotment. Consequently, when we took over the Copock and Crawford ranches we had to go out and buy them last year at a cost of \$225,000.

Now, when you come to the matter of rights, if you read these treaties as I have read them and as I do read them from time to time, you will notice at once how loosely they are drawn. You have to go back to the early days into the so-called treaties, which some people won't admit are treaties, but which are agreements entered into between the contracting parties at that time, and you will find that the Indians were given certain rights on certain lands, on unoccupied lands at that time, until such time as those lands were taken up for

settlement. Now, the provincial government in this negotiation took the position that settlement extinguished the so-called Indian rights. That is a legal question upon which your opinion is just as good as mine; but I was long enough with the provincial government in Manitoba to know the position. provincial governments would take to-day. They would simply ask you, "What are you talking about; go back to your treaty and you will see the treaty entered into by the Queen at that time covers free hunting and trapping until the lands were settled or until laws and regulations covering hunting and trapping were enacted," and the dominion would simply find itself out of court.

I have a fairly good memory and I can still recall some of the discussion that took place, and that is exactly the position. I am not a lawyer, and I am not saying that that is the right position; but that is the position that was taken at that time, and that is the position that will be taken by Ontario or Manitoba or Saskatchewan or any other province if the matter comes up for decision now. Let the chairman read over again that part about hunting and trapping, and he will find that until settlement, or until laws and regulations governing these lands are enacted, are the actual terms of the treaty.

Mr. BLACKMORE: May I say a word or two on this matter? I think it is quite important. When the Indians accepted those treaties conditions were ideal then as compared with those which prevail to-day. The treaties were tolerable to the Indians because there was that difference. Now, since the change has occurred, the conditions of the Indians have become intolerable. Certainly the dominion government is faced with the necessity of making up to the Indians by some other means that which they lost because the land later was settled.

The CHAIRMAN: I think you will find that that is the reason why this committee was formed; it was for the purpose of revising the law; and the terms of our reference are so broad that we go into all phases of Indian life. That is why this government has formed this committee—for the purpose of going into this whole matter. Now, I shall read from page 323 concerning the North-West Angle treaty:

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her Government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said Government.

Mr. FARQUHAR: There seems to be a considerable amount of contradiction. I understood that it was to be as long as the sun shone, the rivers ran and the grass grew. There seems to be some contradiction.

The CHAIRMAN: You must remember that these words were used in conversations leading up to a document which did not have the "sun shining" or other such terms included in it.

Mr. BRYCE: Indians thought they were, anyway.

The CHAIRMAN: The sun shone to-day for a while.

Mr. MATTHEWS: It is exactly for that purpose that I brought this matter up. I am glad you read those provisions. I had a general idea of what they were. That is the reason why I again questioned the witness, wanting to go back to the provisions of the treaty, and standing by those provisions and those alone. I felt he would have been "left holding the bag." And he certainly proves that in referring to his remark about trapping and fishing.

That is the inference he accepted; that fishing would continue to be open to the Indian without regard to time or place. This puts a different light on the matter. And by going through these differences and bringing them right up-to-date, I now wonder if the witness still feels that he would recommend going back and abiding by these treaties and having no reference to anything else. Do you think the Indians of Manitoba would support you in that stand? Do you want to take that stand to-day? Would they be willing to abide by your appreciation of those treaties?

The WITNESS: I am afraid that I cannot act on any discretion of my own, not having any authority for sanctioning the Act.

The CHAIRMAN: You understand, Mr. Prince, there is no sanction here. We are just discussing it in a friendly way.

The WITNESS: The thing is that I cannot submit the terms. I would have to turn around and go to them with the Indian Act and explain these articles.

Mr. MATTHEWS: What is your personal opinion, having heard these descriptions?

The CHAIRMAN: With all due respect, Mr. Matthews, I do not think we want to put Mr. Prince, shall I say, on the spot?

Mr. MATTHEWS: I don't want to do that either.

The CHAIRMAN: I knew you did not; that is why I am bringing this up.

The WITNESS: It is contrary to the Act. Now, as I said, the Indian Act has been thought of as dominating the Indians. They don't want anything in the Indian Act. They want the other.

Mr. MATTHEWS: That is, they want the treaty?

The WITNESS: Yes, the treaty. After the revision of 1871 was terminated the Indian Act came into force. Am I right in that?

The CHAIRMAN: Mr. Hoey, when did the Indian Act first come in? Do you remember?

Mr. HOEY: I think probably Mr. Patrick could give you the correct date on that.

Mr. PATRICK: It was either in 1867 or 1868.

The WITNESS: Oh, that was before 1871.

The CHAIRMAN: Mr. Matthews, does that answer your question? Do you want to proceed?

Mr. MATTHEWS: No, I do not want to take up any more time.

The CHAIRMAN: While we are on the subject, I wonder if there is any way in which we can satisfy Mr. Prince and the others. We have twenty-five different items which they say were promised to the Indians, and I assume that none of them have been fulfilled.

The WITNESS: Very few have been fulfilled.

The CHAIRMAN: We have dealt with the clothing for each of the chiefs and the other head men. Can we go along from that? I think we have discussed that sufficiently. "A wagon built for the chief and head men;" we have seen that that is not true and there is no revision that you know of in that. "Farm implements any seed for each family;" now, is there any suggestion that they were not given at the time of this treaty?

The WITNESS: Well, very few have been handed out.

The CHAIRMAN: That is recently. We are talking about this treaty. The treaty said these would be given and that would be final. You are claiming now that these should be given each year; is that right?

The WITNESS: Yes.



The CHAIRMAN: Well, I do not see that there is anything in the treaty which says they would be given each year; is that right?

The WITNESS: Yes, that is so.

The CHAIRMAN: "A chest of carpenter's tools for each band"; all the treaty referred to was one set of carpenter's tools. I suppose you have many chests of carpenter's tools now; is that right?

The WITNESS: I have carpenter tools.

The CHAIRMAN: Did you get them from the department?

The WITNESS: No, I got them myself, out of my own pocket.

The CHAIRMAN: But I am referring to the provisions of the treaty. Within the last seventy-odd years I suppose there have been many sets of carpenter's tools given to the Indians on the reserves?

The WITNESS: Yes, there have been.

The CHAIRMAN: You see, that is far beyond the treaty obligation.

Mr. FARQUHAR: Mr. Chairman, we will have to find out whether that was to be yearly.

The CHAIRMAN: I have cleared that up. We have read that one chest of carpenter's tools, "to be in full satisfaction"—this is a sort of quit-claim deed. And I certainly think in order to satisfy the Indians on these points there should be a full discussion with them, or some publication sent out to them and discussed with them by the Indian agent to show that they have already received probably far more than the treaty provides for.

Now, I have here an official list of the things that were given to the Indians on the basis of treaty No. 3, and the value of them. I don't know whether you would like to have that on the record.

Mr. FARQUHAR: I do not think we want that.

The CHAIRMAN: I do not think it is necessary to have that.

Mr. FARQUHAR: This delegation does not say that they have never received these things, do they?

The CHAIRMAN: No. Now, Mr. Patrick is here and we can probably get some explanation from him. We could get a report from Mr. Patrick of the things that were given to the Indians and the value of them as of the time of the treaties.

Mr. PATRICK: Yes.

The CHAIRMAN: Since that time, Mr. Patrick, have there been other things given which were in addition to what is provided by the treaty? Do you know of other things in addition to the treaty provisions?

Mr. PATRICK: Yes, things that are not in here. We continue to provide agricultural implements wherever they are necessary or required within the funds appropriated for the branch to all Indians regardless of the treaties.

Mr. BLACKMORE: Mr. Chairman, may I ask Mr. Patrick a question or two on that?

The CHAIRMAN: Yes.

Mr. BLACKMORE: In the first place you say, in accordance with the amount required. How do you determine how much is required, or whether the Indian on the reserve requires any? I am speaking of my own reservation.

Mr. PATRICK: That generally originates with the Indian agent on a recommendation from him as to the Indians who are going to take up agriculture.

The CHAIRMAN: Would it be safe to say that you have provided many things in addition to the treaty obligations?

Mr. PATRICK: Oh yes, a great many things are provided to-day which are not mentioned.

The CHAIRMAN: And that, even in spite of the fact that there is the provision (page 323) that is in extinguishment of all claims; in spite of that you have given them things?

Mr. PATRICK: Quite.

Mr. BRYCE: I think there has been a great deal of misunderstanding. On the one side you had men who had some education and on the other side you had Indians who had no education and who took the word of these people; and if you read back on some of the doings of some of these old Indians and whites at the time some of these bargains were made they were not very creditable to the people who made the bargains.

The CHAIRMAN: Apart from that, what we are trying to do now is to try to get this matter satisfactorily settled in the minds, not only of the members of the committee but of the Indians as well.

Mr. BRYCE: But, Mr. Chairman, you have to bear in mind that the Indian of that time had conscientiously believed he was getting these things for all time to come; and he was not educated. They assured him that "as long as the sun shone", the "grass stayed green" and the "water flowed"; as long as those things continued there would be bountiful supply.

The CHAIRMAN: Of course, we can't—

Mr. BRYCE: There is one thing they got; they got their bull if they got nothing else.

The WITNESS: Mr. Chairman, may I have a little say here? To return to the statement Mr. Bryce made, the statement that I submitted to the government, the suggestion I made to the government, I might say it terminates—that the Indian did not have any education at the time the treaty was made. You will find it different to-day. He has a little education. What little I have does not amount to so very much from my point of view. But here is what you find: I want to start something on my own reserve particularly—

The CHAIRMAN: Hear, hear.

The WITNESS: —and that is the reason—

The CHAIRMAN: In other words, something by yourself?

The WITNESS: Yes; and that is the reason that I asked for these implements. I wanted them for a specific purpose. I stated what I wanted them for and I pointed out in my petition that the money would be repaid to the government.

Mr. BLACKMORE: And, were the implements given to you, or were the advances made to you?

The WITNESS: No. This chief—this suggestion that I am making—

The CHAIRMAN: I might tell you, gentlemen, for the purposes of the record that I discussed this matter privately with Mr. Prince and what he has in mind is starting in on the reserve to establish himself in agriculture.

The WITNESS: Yes.

The CHAIRMAN: And make it a matter not only of experiment but something to which others can look for guidance. In other words, he is desirous of giving a lead if the government will give him certain advances with which to get the materials or tools he needs in order to get started, to get his farm going, and to train others to do likewise. I think he should be highly commended for that. His objective is not only to get himself set up as a farmer, but he also wants to give a lead which others can follow as closely as possible.

Mr. CASTLEDEN: How did he get along with that?

The CHAIRMAN: Of course, it is just an idea so far.

The WITNESS: So far I have not got very far yet. My own band chief turned me down on that project; he could not either read or write. You will find that I stated that in my submission.

The CHAIRMAN: Might I just amplify that?

The WITNESS: Yes.

The CHAIRMAN: The idea Mr. Prince has in mind is to go ahead with this development, and before he can do that he has to educate the head man on his own reserve and he has to try to get the older men, the head men on the reserve, turned to his point of view. He is very eager and full of enthusiasm. He has been around to various parts of the world and he has seen how other people have accomplished things and he is filled with the desire to accomplish things for his own people. His difficulty is that he cannot get his head men to appreciate what he is trying to do. It is a matter of the gradual education of the older men, the head men, to get them around to his point of view. It is a case where he, as an Indian, is trying to help his fellow-Indian to help themselves.

Mr. BLACKMORE: Mr. Chairman, we must admit from what you have been saying that the only means of his obtaining money is from the band fund. It is from the band fund that you must get your money, isn't it?

The WITNESS: Not necessarily.

Mr. BLACKMORE: If that is not the case why should the chief enter into the matter. Surely, you can apply directly.

The WITNESS: No, we have to apply to the chief on our reserve. Before we go ahead and do anything we have to apply to the chief and get the consent of the band.

Mr. BLACKMORE: Let me get this now. Do you have to apply to your chief and to the band before you can get a loan?

The WITNESS: That is what I mean.

Mr. LICKERS: The point there is that it is only the band which can borrow from the revolving fund. The loan is to the band, not to the individual.

The WITNESS: The band is what I had reference to.

Mr. LICKERS: Yes.

The CHAIRMAN: He cannot get his head man to pass a resolution to apply for this loan and he is trying to convince him that he should do that in order to help the Indians to help themselves.

Mr. BLACKMORE: They have an adequate revolving fund with which to work?

The CHAIRMAN: Oh yes. As you know, Mr. Blackmore, a band can borrow money from that revolving fund but they have to pay it back.

Mr. BLACKMORE: I am just at a loss to see why it is that a young man with the energy and ability which this young man evidently possesses would not be able to get a loan. I think there must be something radically wrong somewhere.

The CHAIRMAN: The difficulty lies in the need to educate the head men. They have probably come a long way but it is a matter of a great deal of education. Here is somebody who has been out and around and he has seen the world.

Mr. BLACKMORE: And there is a whole lot to that.

Mr. HOEY: I am not familiar with the local conditions on this reserve, but there is a question of the location ticket. The land of the reserve may be held in common; that is, no allotment may have been made; consequently, before he can settle and get any security of tenure he would have to be



allotted a particular parcel of land by the band. We have been working for a number of years on two things in the west. One is the location ticket system—and you heard the Indian delegation from Saskatchewan protest very vigorously against location tickets, even for a returned man. Some of them feel that the band should keep a complete grip on the land and its ownership and that there should be no location tickets; but they are gradually getting over that. The other thing upon which Mr. MacInnes has been working almost constantly for the last three years—if our staff had not been so limited it would have been in better shape at the moment than it is—is the system of electing chiefs and councillors periodically rather than continuing the old hereditary chief system.

Inspector Hamilton could tell us whether that is still in effect there. Is it?

Mr. HAMILTON: Yes.

Mr. HOEY: If we could get these two things, location tickets and an elected council, they would go a long ways towards eliminating difficulties of the kind faced by Mr. Prince.

Mr. BLACKMORE: Mr. Chairman, I just want to revert to Mr. Patrick for a moment. Perhaps he will recall that the need of a given reserve would be determined by the recommendation of the agent concerned and that it would be limited by the amount of funds that were available in the Indian department. Now, I think every member of the committee sees that there are two very rigid limiting factors there which definitely put a different light on the whole thing. It is so easy to have beautiful words, lots of what one might call “weasel” words. Some of these words are “weasel” words until we know just what is behind them.

The CHAIRMAN: Have you any other questions, Mr. Matthews?

Mr. MATTHEWS: No, Mr. Chairman.

The CHAIRMAN: How about you, Mr. Farquhar?

Mr. FARQUHAR: The witness made reference in his brief to certain residential schools. He said that they should be improved, that there should be changes made and that they should be brought up to date. To what changes was he referring?

The CHAIRMAN: All that is included in the brief, Mr. Farquhar; the brief from the Pas Indian band. Have you anything to add to that?

The WITNESS: No, I have not.

The CHAIRMAN: Has any other member of the delegation anything to add to that? Chief Thompson might be able to answer that question. Do you know anything about that, Chief Thompson?

Mr. THOMPSON: You mean, about the residential schools?

The CHAIRMAN: Yes.

Mr. THOMPSON: There is a residential school on the reserve from which I come, Pine Falls. It was built in 1904. I would say there has been no progress in that school in education, and the children getting an education there. And the same thing would apply to the day school there.

The CHAIRMAN: Can you tell us how many there are in this residential school?

Mr. THOMPSON: I think it should be over 100 pupils.

The CHAIRMAN: How many rooms has it?

Mr. THOMPSON: Mr. Guimond could probably tell you that better than I could.

Mr. GUIMOND: Do you mean the number of classrooms?

The CHAIRMAN: Yes.

Mr. GUIMOND: I think there are four or five classrooms.

The CHAIRMAN: Do you know whether there are four or five classrooms in that residential school?

Mr. GUIMOND: It is hard to say in the residential school just what happens, just how many rooms there are there—I wouldn't be sure. I know I was there not so long ago.

Mr. CHAIRMAN: Is that the first time you were in it?

Mr. GUIMOND: No.

The CHAIRMAN: Can you tell us how many rooms the school has?

Mr. GUIMOND: There are three classrooms; and there is a kindergarten, there is a room for the junior classes and a room for the others.

The CHAIRMAN: Then there are three classrooms; is that right?

Mr. GUIMOND: Three classrooms.

The CHAIRMAN: How many reside in this school?

Mr. GUIMOND: I could not say right offhand, I think there are over a hundred.

The CHAIRMAN: Who operates the school?

Mr. GUIMOND: The Oblate fathers.

The CHAIRMAN: How many rooms has the day school?

Mr. GUIMOND: I would not know about the day school, I would say it is just one room.

The CHAIRMAN: How many are in that classroom?

Mr. GUIMOND: I wasn't there when the classes were on. I was there for the Christmas tree; that is the only time I ever went there.

The CHAIRMAN: Is it operated by the government?

Mr. GUIMOND: Yes, it is operated by the Indian department.

The CHAIRMAN: Now, Chief Thompson, will you continue.

Mr. THOMPSON: You mean about the day school on the reserve?

The CHAIRMAN: How many attend that school?

Mr. THOMPSON: I would say there are twenty-five in attendance.

Mr. BRYCE: Are there any children on your reserve who are not getting an education?

Mr. THOMPSON: There are some children close to the river; there must be between thirty and forty children who have never seen the inside of a schoolroom.

Mr. BRYCE: What age would they be?

Mr. THOMPSON: From seven to fourteen.

Mr. MATTHEWS: How far are they from the school?

Mr. THOMPSON: Maybe a mile and a half. They have no way of getting there because there are two swamps to cross. We had this up with Mr. Hamilton; why can't the government supply a school—isn't that right, Mr. Hamilton?

Mr. HAMILTON: Yes.

The CHAIRMAN: Please address the chair so we can get it on the record.

Mr. FARQUHAR: I was asking Mr. Bryce if he had visited the school, that is all.

The CHAIRMAN: Oh! Is there anything further, Chief?

Mr. THOMPSON: That is all I have about the school on the reserve.

The CHAIRMAN: Does that answer your question, Mr. Farquhar?

Mr. FARQUHAR: You do not think they are making very much progress there in education?

Mr. THOMPSON: No.

Mr. FARQUHAR: Now I would like to ask the witness something about the liquor restrictions on the reserve. I wish to ask Mr. Prince if he would have continued the treaty provisions with respect to the restriction of the introduction and of the sale of liquor?

The WITNESS: Oh, we don't traffic in liquor on the reserve. I am a non-drinker; that is, I drink very little. At one time I used to drink, but liquor don't bother my conscience any.

Mr. FARQUHAR: Would you like to retain the liquor restrictions of the treaty on the reserve?

The WITNESS: At present we don't want it at all, we have refused it. We would have to revise the Act to get it.

Mr. FARQUHAR: You would be in favour of leaving it as it is, would you?

The WITNESS: I have no option.

The CHAIRMAN: No; what Mr. Farquhar means is how do you feel; do you feel that the Indians should have the same right to use liquor legally as the white man? There is no question about selling liquor on the reserve. Do you feel that the Indian should be allowed to go into a beer parlor off the reserve?

The WITNESS: Absolutely, he should.

The CHAIRMAN: Do you think he should be allowed to drink liquor on the reserve?

The WITNESS: According to the Act he can't.

The CHAIRMAN: Never mind the Act, what do you feel?

Mr. FARQUHAR: We want to get your views on it.

The WITNESS: If I was found with liquor on the reserve I would be fined \$10.

The CHAIRMAN: Never mind that.

Mr. FARQUHAR: That is not what we are talking about.

The CHAIRMAN: Do you think you should be permitted legally to drink it on the reserve?

Mr. BLACKMORE: Should the Act be changed?

The CHAIRMAN: Would you like to be in a position, you and your friends, to bring liquor to the reserve? Do you think it should be allowed to be on the reserve? Never mind about the Act or its amendment.

The WITNESS: I am afraid that I could not answer that question.

The CHAIRMAN: What we are trying to get at is your own opinion. Would you like to express your own opinion.

Mr. THOMPSON: I would say something about that, Mr. Chairman. I will give you an example. There is a lot of liquor all around the reserve. It is right up to the edge of the reserve, and it comes onto the reserve; and the mounted police cannot stop it. I went to the mounted policeman and I told him there is a flood of beer around here, and the mounted policeman said: "I can't stop it." So I says to him, why not? And I can answer that, there is a hotel right on our reserve.

Mr. CASTLEDEN: There is—what?

Mr. THOMPSON: They built a hotel on the reserve.

Mr. BRYCE: How would they get a licence?



Mr. THOMPSON: They had to go to the Indians for the land.

Mr. CASTLEDEN: Did you surrender that land?

Mr. THOMPSON: I did not.

The CHAIRMAN: I am sorry to interrupt you, Chief, but we want to get this on the record. Will you please address the chair, turn this way when you are speaking, and I will if necessary, see that what you say is repeated for the benefit of members.

Mr. THOMPSON: As I was saying, I could not do anything to stop this liquor because the hotel was just there right on our reserve.

The CHAIRMAN: Perhaps Mr. Hamilton could tell us. Is there a hotel built on that reserve?

Mr. HAMILTON: There is a hotel being built, but I do not imagine it was on property which was surrendered.

The CHAIRMAN: It is not on the reserve?

Mr. HAMILTON: No, not properly.

The CHAIRMAN: It is adjoining the reserve?

Mr. THOMPSON: Originally it was granted—it belonged to the reserve and they surrendered a certain portion—

Mr. LICKERS: Did they get a surrender or was it by lease?

Mr. HAMILTON: It was on a lease for 99 years.

Mr. CASTLEDEN: The Manitoba Paper Mills and others built a hotel on that property?

Mr. THOMPSON: Yes.

Mr. BRYCE: And they have it on a lease for 99 years?

Mr. THOMPSON: Yes.

The CHAIRMAN: That is adjoining your reserve?

Mr. THOMPSON: Yes.

The CHAIRMAN: Have you anything further you wish to say, Chief?

Mr. THOMPSON: I had not answered the question about the mounted police. I didn't say any more. I didn't see any patent of this land being surrendered. There is nothing on it at all. If the land was leased it only stayed until 1933 when the land was sold back to the Indians and there were no more leases.

Mr. LICKERS: You say that it was leased for 99 years, and that expired in 1933?

Mr. THOMPSON: Yes.

The CHAIRMAN: How could that be? It must have been made in 1834.

Mr. THOMPSON: It was a lease and it failed along in 1926. That is the time it was settled.

The CHAIRMAN: I think that should be investigated.

Mr. THOMPSON: I will ask the government to investigate my reserve. That is just exactly when that ceased. There is still some land on the reserve—I do not know much about it, I am just a new chief, I have only been a chief for eight years. Mr. Hamilton here can tell you about that.

I took up the water question with Mr. McPherson, that is before Mr. Hamilton came but he knows something about it. The sewage from the mill, two hospitals and about 2,000 inhabitants in a little town runs all across the river water which is what the Indians drink to-day.

Mr. BLACKMORE: I think the Chief should repeat a little more loudly what he has said because we all want to hear it.

Mr. THOMPSON: We took this up twice. Mr. Hamilton can tell you something about the water. Mr. McPherson was the agent. I worked with him. We sent samples of the water to Dr. McAdam, I think it was. He analysed some samples. We took this matter up before twice. The water was tested because the water was not suitable for a person to drink. It was filthy, no good. The sewage from that little town, the mill and two hospitals, with all the acid and sulphur which comes from that mill goes into the river and that is what we drink to-day. I took this up before my agent to bring it into the House of Commons. He did bring those questions up twice.

The CHAIRMAN: You mean you sent samples of the water to the medical department?

Mr. THOMPSON: Yes.

The CHAIRMAN: To the medical branch of the Indian Affairs Department?

Mr. THOMPSON: Yes.

The CHAIRMAN: What was the reply you got?

Mr. THOMPSON: I did not get any result at all. There is nothing, no answer at all.

The CHAIRMAN: Did you send samples yourself or did you have your agent do it?

Mr. THOMPSON: My agent, Mr. McPherson.

The CHAIRMAN: We will have that investigated.

Mr. BLACKMORE: Mr. Chairman, the Chief did not tell us what he thought about liquor. We should like to know whether he thinks his Indians should be able to go into town and buy liquor and drink it there. We should also like to know whether he thinks they should be able to get out, get liquor and bring it on the reserve and drink it. What do you think?

Mr. THOMPSON: I want the liquor to be stopped on my reserve. I do not want it because there is a lot of money made on my reserve and almost all of it goes for whisky and lemon extract to make the Indians drunk. I ask that the whole thing be stopped. I am not a drunkard. I used to be in days gone by, but I am not now.

Mr. BLACKMORE: May we ask the Chief what he thinks most of his Indians desire? Do you believe they wish it to be stopped?

Mr. THOMPSON: I guess the majority want to be able to drink beer or liquor, that is the young ones. Most of the old-timers do not want it. The young generation, I suppose, they want to drink.

Mr. BLACKMORE: The Chief, then, Mr. Chairman, would like to have the Act stay just as it is; is that right?

Mr. THOMPSON: I want it to be stopped.

Mr. BLACKMORE: The Act now prohibits the Indians from buying liquor or bringing it on the reserve.

Mr. THOMPSON: Does not the Queen Victoria Treaty say something about liquor being stopped?

The CHAIRMAN: Yes, that is what Mr. Blackmore states. Is that all Chief?

Mr. THOMPSON: That is all.

Mr. CASTLEDEN: You feel that the treaty has been broken, that they promised you in the treaties that they would not allow liquor to be sold to the Indians and you still find liquor is being sold to the Indians?

Mr. THOMPSON: Yes.

Mr. CASTLEDEN: Although the Act forbids it. You tell us liquor is being drunk on the reserve?

Mr. THOMPSON: Yes, sir.

Mr. CASTLEDEN: And that you find people selling lemon extract?

Mr. THOMPSON: Yes.

Mr. CASTLEDEN: And others buy liquor on the reserve and the law enforcement officers are not stopping it?

Mr. THOMPSON: No.

The CHAIRMAN: The law enforcement officers permit it?

Mr. THOMPSON: Yes.

The CHAIRMAN: Do they go out and say it is all right to sell lemon extract and beer?

Mr. THOMPSON: The mounted policeman in Watkins is having a hard time trying to stop this liquor business.

Mr. CASTLEDEN: The fact is they are not stopping it.

The CHAIRMAN: You are creating a wrong impression.

Mr. MATTHEWS: I did not understand the Chief to say that liquor was being sold on the reserve.

Mr. CASTLEDEN: I am not reflecting on the law enforcement officers or saying they are not trying to do a good job. I am saying they are not completely able to stop it, despite their efforts to do so.

The CHAIRMAN: You cannot put up your hand and stop the waves on the beach, either. A fair question would be, are they permitting or authorizing it, and they are not.

Mr. CASTLEDEN: I should like to ask this question. Are they successful in stopping it?

Mr. THOMPSON: No.

Mr. BLACKMORE: Are they doing their best to stop it?

Mr. THOMPSON: They are.

Mr. CASTLEDEN: Are there officers there?

Mr. THOMPSON: There are officers. There is a detachment at Lac du Bonnet. Those are the ones who are going down all the time. There is the Manitoba Paper Company's police, there are two of them, and there are two at Lac du Bonnet. There is the man from the Manitoba police and the five of them try to stop this liquor all the time, especially Saturday nights. I work with them. It is a hard thing to stop this liquor. I am over sixty years old. The government was not trying to stop this liquor business all the time. I am over sixty years old, and I do not see this liquor being stopped yet. Nobody wants it, but it seems to be getting stronger all the time.

Mr. MURDOCH: I should like to say something about liquor. We never can stop that liquor. Anyone can manufacture that liquor on our reserve. Our own people can do it. The law does not allow them to get good liquor. They are going out anyway and they will make it right on the reserve. We tried to force the mounted police to come down and search for liquor, but they could not find it. We try to do the best we can. Mostly the old people do not like the liquor but they are still drinking it anyway.

The CHAIRMAN: Do you think it would be better, Chief Murdoch, if we opened wide the gates and let the people get all they want; is that the better thing?

Mr. MURDOCH: It is my idea. It would be a good idea. If they got a permit for good liquor, they would not buy the bad stuff; that is my idea. They would not get any more than what is allowed on the permit anyway. Supposing I go out and buy a permit, if I am allowed a case of beer and drink it, I



would not get any more for a month's time; that is the way I look at it. They make this bad stuff. They are manufacturing it, and they die. A while ago we lost two or three men over that bad liquor.

Mr. CASTLEDEN: It says in your treaty,

Her Majesty further agrees, within the boundaries of the Indian reservation, until otherwise determined by the government of the Dominion of Canada, no intoxicating liquor shall be allowed, and Her Majesty shall have the right to pursue their avocations of hunting and fishing—

The CHAIRMAN: Her Majesty is not going to do that.

Mr. CASTLEDEN:

Her Majesty further agrees with the said Indians that they shall have the right to pursue their avocations of hunting and fishing as hereinbefore described.

I am reading from the treaty.

The CHAIRMAN: From what treaty are you reading?

Mr. CASTLEDEN: It is treaty No. 3. After the description of the lands, then there is something regarding the maintenance of schools, regarding liquor and such things. The next clause states,

Her Majesty further agrees with her said Indians that they, the said Indians, shall have the right to pursue their avocations of hunting and fishing throughout the tract.

The CHAIRMAN: I will read it again, if you like.

Mr. CASTLEDEN: I have read it.

The CHAIRMAN: You have not taken it down properly.

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have the right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said government.

Mr. CASTLEDEN: That is right.

The CHAIRMAN: That is not what you read, though.

Mr. CASTLEDEN: I should like to ask whether they have found that the right to pursue fishing on their reserve has been interfered with in any case; that is, hunting or fishing on the reserve.

The WITNESS: Yes, Mr. Castleden. Regarding fishing, I submitted a brief here from the Broken Head band No. 4 Indian reserve concerning fishing.

We are having a hard time to fish for our own use. For instance, inside our reserve in the year 1946 four families' nets were torn by the game guardian's motor boat, George Longbotton, who is always in our reserve. This is an encroachment of one white man in the reserve.

Mr. George Longbotton is the game guardian from the provincial government who is residing in the mission house.

*By Mr. Castleden:*

Q. Is he on the reserve?—A. He is in the mission lodge, the mission house, surrounded by the reserve.

Q. He lives in the mission house which is built there?—A. Yes. It was originally the Indian reserve.

Q. They leased or surrendered it?—A. They leased it to the missionaries. In my band's view it was leased to the missionaries, not to the game guardians. This certain game guardian, Mr. George Longbotton has been travelling up and down Canterbury Indian reserve roughly. These Indians are fishing for their own use, not commercial fishing. Only for their own use.

Now, these four families of Indians in 1946 had their nets down and this Mr. George Longbotton ripped their nets with his motor boat. I brought this up before Mr. Longbotton myself.

*By Mr. Lickers:*

Q. What did he say about it?—A. This was brought to me by the two gentlemen, Mr. William Morrisoe, who is about sixty-four years old. He brought this up to me to speak for him, not that I had any power to do anything, but just interpret for him to the game guardian. He asked me if I could say something to Mr. Longbotton with regard to the breaking of his nets, which I did. I saw Mr. Longbotton. "Well," he said, "Tom, I will see if I can get it replaced." I refer also to Mr. Tim Cook, who is about seventy-three years of age. The answer that he gave him was, "Pick up your damn net or I will pick it up myself."

*By the Chairman:*

Q. Did you hear that?—A. I did not hear that myself. I was not at Canterbury then. There was also another family, that of Mr. Peter Jones who has a young boy, a young girl and his wife. I would say he is about sixty-two years of age. He also had a net torn by the game guardian, straight down from the bank of his place. It is inside the reserve.

Q. Is that a navigable stream?—A. Yes.

Q. What river is it?—A. It is the Broken Head River.

Mr. HOEY: It is not navigable in the sense there is dominion control.

The WITNESS: It is just for small boats.

*By the Chairman:*

Q. Could he get up and down the river in his small power boat?—A. Yes.

Q. Without running into these nets?—A. I think he could. He uses only an outboard motor and a light craft.

Q. There might be some difficulty. What we are trying to find out is, did this provincial officer do this deliberately or did he do it accidentally?—A. I could not make a statement in that respect.

*By Mr. Bryce:*

Q. What does he do on the reserve? Why does he stay on the reserve?—A. Well, I do not know why he stays on the reserve, but from my point of view he should not be on that reserve.

*By the Chairman:*

Q. Is he a married man?—A. Yes.

Q. Has he his family on the reserve?—A. Yes.

Q. Does he rent the house?—A. No, he is in the mission lodge.

Q. What is the mission lodge?—A. That is the game guardian I am speaking about.

Q. What is this mission lodge?—A. The mission house.

Q. What is the mission house?—A. There is a mission house erected on every reserve for the missionary societies who worked with the Indians. Now, we have not had a missionary there for some time. Our missionaries used to come from Winnipeg about twice a month and this game guardian has just moved right into the mission house where our minister used to live. The mission house is surrounded by the reserve.

Q. What I am getting at is this; who else lives in this mission lodge?—A. He and his family.

Q. From whom does he rent the mission lodge?—A. That I do not know. I asked the Chief and Councillors.

Mr. McCRIMMON: Might I explain that I investigated this. I went over to the office in the noon hour and our file indicates—as a matter of fact, we have a letter from Mr. Bryce about it. The Indians complained to Mr. Bryce about this provincial game guardian residing on the reserve. The Anglican church many years ago (1904) secured the land—I am not in a position to say to-day whether this was before this was a reserve or afterwards—to which they hold title. They have leased the house on this lot to the game guardian. It is true that it is surrounded on three sides by the reserve and the river is in front of it. We have no way of keeping him out. It is very proper.

Mr. BRYCE: Was it granted to the Anglicans for mission purposes?

Mr. McCRIMMON: They have the outright title to it; it is their property. They can do whatever they like with it. It does not form any part of the reserve. If it were on the reserve, we could control the residents. As they have title to the land, there is nothing the branch can do about it.

Mr. CASTLEDEN: The branch might try to make arrangements with the church, though, if it is not being used for mission purposes to surrender it again?

Mr. McCRIMMON: It is possible. We have done that in many cases in order to clear up isolated cases.

The CHAIRMAN: This mission house is on the river?

Mr. McCRIMMON: That is right.

The CHAIRMAN: The reserve is on both sides of the river.

Mr. McCRIMMON: That is right.

The CHAIRMAN: Is it on the north or south side of the river, east or west?

Mr. McCRIMMON: It would be, as I recall it, on the south side of the river.

The CHAIRMAN: Is the reserve to the east and west of that mission house, then?

Mr. McCRIMMON: Yes, it is surrounded on three sides by the reserve and then the water is in front of it; then, the reserve is across the river, too.

The CHAIRMAN: It is surrounded on four sides by the reserve?

Mr. McCRIMMON: Yes.

Mr. CASTLEDEN: How far within the reserve is this?

Mr. McCRIMMON: It is quite a distance. I do not recall the scale on the map, but it would be down about three inches on the map. I suppose it would be four miles or so.

Mr. HAMILTON: I think the arrangement of allowing the game guardian in this house is only a temporary arrangement. I had a phone call the other day from the Reverend Mr. Cheels, who was expecting to go to the Broken Head reserve as a missionary. If he went, I assume he would want the house. For the last two or three years they have not been able to get a resident missionary. I think, possibly, it is just a temporary arrangement.



The CHAIRMAN: Mr. Hamilton, you think probably this matter with Mr. Longbotton can be straightened out?

Mr. HAMILTON: Yes.

The CHAIRMAN: Would you see what you can do about getting it straightened out?

Mr. HAMILTON: I would be glad to.

Mr. BLACKMORE: I wonder if we could find out whether or not the province of Manitoba does permit things of that sort with its full knowledge?

The CHAIRMAN: I am sure no province, it does not matter which one, would permit anything of that nature with its knowledge. I think, even Alberta—

Mr. BLACKMORE: I am sure Alberta would not.

The CHAIRMAN: Mr. Conn, would you like to say something there?

Mr. CONN: Yes, just on the point Mr. Blackmore brought up. I was going to deal with that point. Mr. Prince was in my office the other afternoon, and this was the first intimation I had of the broken nets. I was so confident of the integrity of the Manitoba administration, I took the opportunity of inviting Mr. Prince to meet me in Winnipeg later on this month when I would be out there and this morning I wrote the assistant deputy minister, making an appointment so we could investigate the whole matter right on the ground.

The CHAIRMAN: Is that action satisfactory?

The WITNESS: Yes.

Mr. CONN: Knowing Mr. Cowan as I do, if the game guardian has been carrying on in the manner described, he will not be there very long.

*By Mr. Castleden:*

Q. Did you complain of this matter to your agent?—A. Yes.

Q. When?—A. On several occasions.

Q. What year?—A. 1946 and 1947.

Q. This last year. What results did you get from him?—A. The agent has referred to it and said he will take this matter up; that is as far as it went. Then, I was forced by the Manitoba Indians of the Broken Head band, to go further into it. Then, I sent a letter to Mr. Bryce who took up the question. I referred this question to the Indian agent at least three times, twice in 1946 and once in 1947 that I remember.

Q. There are a number of such things which have occurred. We found the same thing in practically every group which has come before us. We, as a committee, feel that one of the things which is going to be necessary for the betterment of the Indians is that the trust of the white man in the Indian and the Indian in the white man must be restored. There should be mutual confidence. You should not feel that the treaties are being violated or that you are not being properly treated or that you have no rights. Now, have you any suggestions to make or any recommendations which you would like to make with regard to settling these matters? You can see from the discussion this afternoon how complicated and how difficult the interpretation of the clauses of the treaties are, and how the application of them at one date might be altered at another. Do you think there is a possibility of the Indians getting together, the chiefs and tribes getting together and meeting and drawing up some kind of agreement whereby we could restore the common trust which should exist between the Indian and his white brothers?—A. You are referring to the trust of individual persons?

Q. The whole thing, I mean the Indians as a group. I feel there is distrust. What do you suggest?—A. The treaties we were talking about a little while ago

—these Indians were led to believe, so far as I can come to the conclusion, that their promises should last as long as the sun shines, the river flows and the green grass grows. They trusted the white man to carry out these promises. They were very glad then to offer these terms, but to-day we find it different. How can I walk along the street, stick out my chest and say, "I trust the next man, the next man trusts me," when I could not get these terms? Those are the best words I can put it into.

Q. Would you suggest we should have another meeting between the Indians? Do you think the Indians would come with their tribes and their chiefs and meet a commission or some other group to get the treaties and agreements thoroughly understood so we could trust one another, or secure some safeguards, some avenue of appeal?—A. That is the purpose of this joint committee's session with our Indians, that we should have a conclusion and something that will really bind the white man and red man together so that they can trust each other and we can walk side by side and face this world having faith and confidence in one another. I would have your confidence and you would have mine.

The CHAIRMAN: It is now six o'clock.

Mr. CASTLEDEN: I tabled the Constitution of the Union of Saskatchewan Indians, as their president asked me if I would do it. With the consent of the committee could that be put in the record?

The CHAIRMAN: With the consent of the committee, it will be appended to the proceedings of to-day. We will adjourn until eleven o'clock to-morrow morning in room 277.

The committee adjourned at 6.05 p.m. to meet again at 11.00 a.m. on Friday, June 6, 1947.





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## APPENDIX FW

### INDIAN ASSOCIATION OF MANITOBA

President ..... Harry G. Anderson, Fairford Reserve.  
 Vice President .. Thos. G. Prince, Canterbury Reserve.  
 Secretary ..... Robert Anderson, Fairford Reserve.  
 Vice Secretary .. Angus Prince, Peguis Reserve.  
 Treasurer ..... George Shannacappo, Rolling River Reserve.  
 Chairman ..... Thos. G. Prince, Canterbury Reserve.  
 Clerks ..... Edwin Woodhouse, Fairford Reserve.  
                                 Alex Grisdale, Canterbury Reserve.  
                                 Chas. John Anderson, Fairford Reserve.  
                                 John Alfred Anderson.

#### Directors:

Coun. Arthur Felix, Berens River.  
 Chief George Sutherland, Marius.  
 Chief A. J. Murdock, Koostatak.  
 Chief George Gordon, Indian Springs.  
 Chief Frederick Sayer, Little Black River.  
 Chief Cuthbert Nanawin, Poplar River.  
 Chief George Baker, Hole River.  
 Jame Starr, Fort Alexander.  
 Chief Chas. Sumner, Gypsumville.  
 Chief Theodore Flatfoot, Camperville.  
 Chief Jacob Menow, Norway House.  
 Chief Cornelius Bignell, The Pas.

Names of those that were present at the meeting of the Indian Association of Manitoba, May 28, 1947:—

Chief John Thompson, Fort Alexander.  
 Chief Jim Wilson, Rolling River.  
 Chief Patrick Matwayashing, Lake Manitoba.  
 Chief George George, Cedar Lake.  
 Chief John James Sinclair, Lake St. Martin.  
 Councillor Wm. Captain, Cedar Lake.

Councillor Daniel Flatfoot, Camperville.  
 Councillor Joe Peyer, Roseau River.  
 Kenneth Prince, Peguis.  
 Jerry Bittern, Berens River.  
 Councillor Chas. Favell, Peguis.  
 John R. Woodford, Fairford.  
 John Blackbird, Elphinstone.  
 Councillor Elijah Bower, Fisher River.  
 Councillor Mike Crate, Fisher River.  
 Roy Eagle, Valley River.  
 David Anderson, Fairford.

Ladies:—

Mrs. Edwin Woodhouse, Fairford.  
 Mrs. Helen Moar, Fairford.  
 Mrs. K. McLean, Lake Manitoba.  
 Ann Smith, Roseau River.  
 Mrs. David Anderson, Fairford.

Representative of Unaffiliated Indians:—

Mr. Flett, Peguis.

*Members of The Indian Association of Manitoba*

Chief John Thompson, Pine Falls, Man.  
 Chief John James Sinclair, Lake St. Martin, Man.  
 Chief Edwin Woodhouse, Fairford, Man.  
 Chief James Murdock, Koostatak, Man.  
 Chief Jim Wilson, Rolling River, Man.  
 Chief Geo. Gordon, Indian Springs.  
 Chief Geo. Sutherland, Marius, Man.  
 Chief Patrie Matwayashing, Vogar, Man.  
 Chief Chas. Sumner, Gypsumville, Man.  
 Chief Theodore Flatfoot, Camperville, Man.  
 Chief Geo. Parkes, Hole River, Man.  
 Chief Cuthbert Nanawin, Poplar River, Man.  
 Chief Frederick Sayer, Little Black River, Man.  
 Chief Jacob Menow, Norway House, Man.  
 Chief Sam Cook, Split Lake Reserve.  
 Chief Willie Berens, Berens River.  
 Chief Richard Chief, Canterbury.  
 Chief Myles Hart, Nelson House Reserve.  
 Chief Abraham Hole, Reedy Creek P.O., Ebb and Flow Reserve.  
 Chief John Eagle, Valley River.  
 Chief Cornelius Bignell, The Pas.  
 Chief George George, Cedar Lake.  
 Chief Helarn Moar, Crane River.  
 Chief N. Asham, Peguis.  
 Chief Joe Yellowquill, Long Plains.  
 Chief Frank Kobistra, Shoal Lake.

Secretary: Robert Anderson.

Councillors:—

Harry George Anderson, Fairford.  
John Young, The Pas.  
Chas. Green, Shoal Lake.  
Jim Chena, Shoal Lake.  
George Chena, Shoal Lake.  
Arthur Flett, Berens River.  
Chas. John Anderson, Fairford.  
George Shannacappo, Rolling River.  
William Captain, Cedar Lake.  
Daniel Flatfoot, Camperville.  
Joe Payer, Rosseau River.  
Chas. Favell, Peguis.  
Elijah Bower, Fisher River.  
Mike Crate, Fisher River.  
Louis Prince, Shoal Lake.  
Archie Shingous, Rossburn.  
Andrew McPherson, Peguis.  
Councillor Russel, Long Plains.  
Councillor Bird, Little Black River.  
Danial Nathlin, The Pas.  
Matthew McGillivary, The Pas.

(Signed Secretary Robert Anderson.)



## APPENDIX FX

Shoal River Band,  
Pelican Rapids, P.O., Man.  
April 14, 1947.

Honourable Senator J. Fred Johnston and Mr. D. F. Brown,  
Joint Chairmen,  
Special Joint Committee of the Senate and the House of Commons,  
appointed to examine and consider the Indian Act.  
Ottawa, Ont.

Honourable and Dear Sirs:

As we were informed that the Indian Act is to be examined and considered in a near future, we, the Members of the Shoal River Band, had a meeting called and presided by the Chief and Councillors, and have adopted the following resolutions:

1. Military Service: We insist that our boys be exempted from compulsory military service Overseas.

2. We ask that taxation on non-luxury goods or articles, as clothes etc., be not imposed upon us.

3. Fishing & Trapping: We expect that our hunting, fishing and trapping rights be faithfully respected and that licenses if required by law, be issued to us free of charge.

We ask, that our fishing grounds be enlarged and extended from Salt Point to Beardy's Point in a straight line and that the residing Half Breeds may be permitted to fish in the same area.

4. Indian Reserve Land: We expect that the little Reserve of Bell River Bay (West) as appears on old maps, be return to us as being part of our Reserve.

5. Timber Resources: We ask that our timber resources be exploited in a near future and a saw mill to be purchased from our fund and operated by us. If this proposition is not approved of, we would like to sell our timber limits to some big Firm and the proceeds to be kept at Ottawa as a revolving fund.

6. Hospitalization: We insist that a hospital or Sanatorium for the Indians be built at some central point on the shores of Lake Winnipegosis, (we would suggest Pine Creek Reserve at Camperville) and that our T.B. patients specially be hospitalized at some reasonable distance from their homes and in an Institution of their respective Faith.

7. Education: We request that our day and residential schools be maintained under Christian leadership. We expect our boys and girls attending Residential or Day schools be given the opportunity of taking a more complete course of vocational training, and modern equipment for that purpose is requested.

8. Recreation and training center for expupils: Recreational and training facilities should be available on our Reserve for the physical and moral welfare of our youngsters. Such a center will facilitate a post schools program organization which would be of great value to our ex-pupil of both Day and Residential Schools.

9. Housing problem: The Department is expected to provide us with the balance of material when log buildings for public and private use, as homes, halls, bridges, are constructed on the Reserve.

10. Old age Pension: Old, aged and disabled Indians should be entitled to the same amount of pension as their White Brothers.

Very respectfully yours,

The Members of Shoal River Band.

Per: Thomas Sinclair, Chief.  
Patrick Cook, Councillor.  
Edward Stevens, Councillor.

## APPENDIX FY

Waterhen Band,  
Skowman, P.O., Man.,  
April 19, 1947.

Honourable Sirs:

We, Indians of the Waterhen Band, are informed that the Indian Act is to be revised and altered. In a general meeting called and supervised by the Chief and Councillors, have adopted the following resolutions to be presented respectfully to your Committee:

1. Education and training: We insist that our day and residential school be, as in the past, maintained under christian leadership. We expect our boys and girls attending day and residential schools to be given opportunity to follow a complete vocational course, modern equipment for that purpose is requested in every school.

When a child shows interest and aptitude for a special branch of training, such child must be given opportunity for higher education and recommended by teachers or principals to the Department so that arrangements be made to give the particular pupil a full training on this special trade.

As most of our Reserves are far away from a resident Doctor, our pupils should receive a more complete training in first aid nursing and elementary notions of medical should be given them. It is done at some schools it should be encourage. We suggest that such training be part of the school curriculum.

Recreational and training facilities should be available on our Reserves for the physical and moral welfare of our boys and girls. In connection with these facilities a post-school program could be carried on.

As we are all members of the Roman Catholic Church, we should like to have a teacher of our own Faith to teach at our Day school.

2. Hospitalization: We request a hospital or San. for the Indians to be built at some central point on the shores of Lake Winnipegosis, and that our TB patients specially be hospitalized in an institution of their Faith and at a reasonable distance from their homes.
3. Old age pension: Old aged and disabled persons living on Indian Reserve should be entitled to the same treatment received by their white neighbours.
4. Implements: We suggest that more farming implements be given us in the future and that a shelter be erected on the Reserve for protection of same.

A portable saw-mill would come handy and save a great deal of labour specially during fishing season.

5. Elections: We demand that elections be held when we so desire; and determine the length of office of the chief, councillors and constable as well as the amount of an adequate salary.
6. Medical cares: We request that our medical doctor visit our people on the reserve at least once a month.
7. Taxation: We ask that taxation on articles and goods necessary to our daily welfare as clothes, foods, etc., be not imposed upon us.
8. Military Service: We request that our boys and men be exempted from compulsory military service overseas.

9. Housing problem: The war being over, we expect that the Department will be able to help us in building better homes. Providing the balance of material when log buildings for public use, as a hall, implement shed, bridge, recreation centre, or private home are constructed on the Reserve.
10. Fishing and Trapping: We expect our fishing and trapping rights to be faithfully respected.
11. Orphans: Many orphans children, boys and girls are attending Residential school, while at school their Treaty money is funded at Ottawa and given them or their guardians on leaving school or shortly after. May we suggest that such money be given such children only when ready to get married, and specify that such money must be used for material to build a home or purchasing furniture, if they already possess a home. Used in this way and at such a time the money will be greatly profitable to these young Indians.

Very respectfully yours,  
The Members of the Waterhen Band.

Per: Chief, Hermas Nepinak  
HERMAS NIPINAK

Councillor, Michel Catchiway  
MICHEL CATCHIWAY

Councillor, Edwin Houle  
EDWIN HOULE

Honourable Senator J. Fred Johnston and Mr. D. F. Brown,  
Joint Chairmen,

Special Joint Committee of the Senate and the House of Commons,  
appointed to examine and consider the Indian Act,

Ottawa, Ont.



## APPENDIX FZ

## CONSTITUTION OF THE UNION OF SASKATCHEWAN INDIANS

Adopted in convention of the Indians of Saskatchewan at the city of Saskatoon, in the province of Saskatchewan, the 24th day of February, A.D. 1946.

## ARTICLE I

*Name*—The name of the organization shall be "The Union of Saskatchewan Indians".

## ARTICLE II

The Union shall be democratic and non-sectarian, and shall not directly or indirectly be affiliated to, or connected with any political party.

## ARTICLE III

*Aims and Objects*—

- (a) The aims and objects of the Union shall relate to the problems of all Indians of Saskatchewan.
- (b) The Union shall approach and deal with these problems by:
  - 1. Protecting Treaties and Treaty Rights;
  - 2. Fostering progress in all fields of economy, education and social life of Indians;
  - 3. Co-operating with all civil and religious authorities;
  - 4. Constructively criticizing and discussing all matters;
  - 5. Adhering to democratic procedure;
  - 6. Promoting respect and tolerance for all.
- (c) The Union will endeavour to secure the maintenance and fulfilment of all Indian Treaties.
- (d) The Union is organized to protect all Indians against abuse and maladministration and injustice.

## ARTICLE IV

*Membership*—Membership in the Union may be Active or Honorary:

- (a) Active members shall consist of Treaty Indians and Non-Treaty Indians; all active members shall enjoy a vote.
- (b) Honorary members may be appointed by the Executive Council. They may be persons of any race, who support the spiritual and temporal welfare of the Union; they are not entitled to a vote.
- (c) Only persons of good moral character shall be eligible for membership in the Union; members of other Indian organizations shall be eligible for membership.
- (d) Every member holds to the ancient Indian code; "Love and help thy brother".
- (e) Every active member must be a Canadian Indian, of the full age of eighteen years, male or female, who according to Indian teachings has reached manhood or womanhood, and is a resident of Canada.
- (f) No member may use the name of the "Union of Saskatchewan Indians" for private schemes, personal profit or commercial enterprise, or act as a representative of the Union of Saskatchewan Indians unless duly authorized to do so, by the Executive Council, and be provided with credentials explaining the mission appertaining thereto, being signed by at least three officers of the Executive Council.

- (g) Any member having complied with Sections (a), (c) and (e) may become an Active member upon paying to the Union a fee of one dollar (\$1.00).
- (h) Any member wishing to withdraw from membership may do so upon a notice to the Executive Council through the Secretary.

#### ARTICLE V

*Officers*—The Executive Council of the Union shall comprise:

- (a) i A President;
  - ii Two Vice-Presidents;
  - iii Provincial Secretary;
  - iv A Provincial Treasurer;
  - v Two Provincial Organizers;
  - vi Two Councillors from each Indian Agency in Saskatchewan, and one Non-Treaty Councillor.
- (b) The Executive Council shall be elected to a term of office of two years.

*Executive Council*—

- (c) The Executive Council herein referred to shall mean the Committee consisting of the officers referred to in the next preceding section which, subject to the resolutions and instructions given them by a majority vote at any meeting of the Union properly called and constituted, shall have full control and management of the business and affairs of the Union.

*President*—

- (d) The President shall be ex-officio a member of all committees. He shall, when present, preside at all meetings of the Union and of the Executive Council. In his absence a Vice-President shall preside at any such meeting and in the absence of both the President and the Vice-Presidents, a Chairman shall be elected from among the remaining officers.

*Vice-Presidents*—

- (e) The Vice-Presidents shall be ex-officio members of all committees. One shall, in the absence of the President preside at all meetings of the Union. In the absence of both, a Chairman shall be elected from among the remaining officers.

*Secretary*—

- (f) Secretary—It shall be the duty of the Secretary to attend all meetings of the Union and of the Executive Council and to keep accurate minutes of the same. He shall have charge of the Seal of the Union, which seal whenever used, shall be authenticated by the signature of the Secretary and President, or in the case of death or inability of either to act, by the Vice-President. In the absence of the Secretary, his duties shall be discharged by such officers as may be appointed by the Executive Council. The Secretary shall have charge of all the correspondence of the Union and shall receive instructions from the President, Vice-President and Executive Council.

*Provincial Treasurer*—

- (g) The Provincial Treasurer shall receive all moneys paid to the Union and shall be responsible for the deposit of same in whatever Bank the Executive Council may order. He shall properly account for the funds of the Union and keep such books as may be directed. He

shall present a full and detailed account of receipts and disbursements to the Executive Council whenever requested and shall prepare for submission to the Annual Convention a statement duly audited as hereinafter set forth, of the financial position of the Union and submit a copy of same to the Secretary of the Union. He shall pay all accounts by cheque; receipts shall be secured for expenditures. Cheques shall be signed by the Treasurer and the President, or the Treasurer and one Vice-President.

*Combined Office of Secretary and Treasurer—*

- (h) The office of the Secretary and Provincial Treasurer may be filled by one person if any meeting for the election of officers so decides.

*Qualification for Office—*

- (i) Every member of the Provincial or Executive Council must be of Indian Ancestry and of good moral Character, to be eligible to office in the union.

*Duty of Council—*

- (j) It shall be the duty of the Executive Council to arrange for members and others to speak to the Union on matters of interest, such as, Indianology, Ethnology, History, Art, Culture, Craft, Sports, etc.,

ARTICLE VI

*Audit of Books and Records—*

- (a) The books, accounts and records of the Secretary and Treasurer or Secretary-Treasurer shall be audited at least once every year by a duly qualified accountant or by two members of the Union, elected for that purpose at or before the Annual Convention. A complete and proper report of the standing of the books for the previous year shall be submitted by such auditor or members at the Annual Convention of the Union.

*Fiscal Year—*

- (b) The thirty-first day of the melting moon (July) in each Great Sun (one year) shall be the end of the fiscal year of the Union.

*Inspection—*

- (c) The books and records of the Union may be inspected by any member of the Union at the Annual Convention, or at any time upon giving reasonable notice and arranging a time satisfactory to the officer or officers having charge of same. Each member of the Executive Council shall at all times have access to such books and records.

ARTICLE VII

*Meetings of Executive Council—*

- (a) The Executive Council shall hold meetings as often as the business of the Union shall require.

*Every Three Months—*

- (b) There shall be at least one meeting of the Executive Council every three moons (months).

*Meetings of Union—*

- (c) The Union shall hold a general Council meeting or Convention once every year in the month of the Flight Moon (August) of which due notice shall be given to all members. At every second Annual meeting there shall be nominated and elected the officers of the Executive



Council as enumerated in Article 3, Section (a). The officers so elected shall serve until their successors are elected and installed. All proposed resolutions shall accompany each notice of a General meeting.

*Filling Vacancies—*

- (d) Any vacancy occurring shall be filled at the next following Annual meeting, provided that it is so stated in the notice calling such meeting.

*Special Meetings—*

- (e) Special meetings of the Union may be called at any time by the Secretary upon receipt by him of a petition signed by one-third of the members of the Union in good standing, setting forth the reasons for calling such meeting, which shall be by letter to the last known address of each member delivered in the mails fifteen days prior to such meeting.
- (f) All resolutions at meetings of the Union and the Executive Council shall be passed upon a majority vote of all active members present at such meeting.

## ARTICLE VIII

*Quorum of Executive Council—*

- (a) Any ten members of the Executive Council shall constitute a quorum, and meetings may be held without notice, if a quorum of the Executive Council is present, provided however, that any business transactions completed at such meeting without notice shall be ratified at the next regularly called meeting of the Executive Council, or otherwise the same shall insofar as possible be null and void.

*Quorum of Union—*

- (b) Twenty-five members in good standing shall constitute a quorum at any meeting of the Union.

## ARTICLE IX

*Voting—*Any active member in good standing shall have the right to vote at any meeting of the Union. Such votes must be cast in person and not by proxy or otherwise.

## ARTICLE X

*Remuneration—*Unless authorized at a Union meeting of which due notice shall have been given, no officer or member of the Union shall receive remuneration for his services.

## ARTICLE XI

*Amendment to Constitution—*The Constitution of the Union may be amended only by a majority vote at an annual meeting of the Union upon notice in writing being given to all members one month or more prior to the date on which a change or changes are to be voted upon, and provided the proposed change or changes have been embodied in the notice calling the meeting at which they are to be voted upon.

## ARTICLE XII

*Locals—*

- (a) A local of the Union may be established under the authority of the Executive Council at the request in writing of ten or more active members who are desirous of forming themselves into such local. Such local shall be distinguished by a name designating the locality, as for example: "Thé File-Hills Union of Saskatchewan Indians."

*Local Membership—*

- (b) The membership of a local shall consist of the members of the Union residing within the locality, and of those residing at a greater distance, who desire to join the local, who notify the Secretary of the Local of their desire to join such local; such Secretary in turn shall notify the Secretary of the Union.

*Management of Locals—*

- (c) Each local shall be managed by a Local Council consisting of a Chairman, one Director and a Secretary-Treasurer all of whom shall be elected by the Local members at a regular meeting.

*Executive of Local—*

- (d) The immediate past Chairman of the Local, and members of the Executive Council of the Union, residing within the jurisdiction of the Local, shall be ex-officio members of the Executive Council of that Local.

*By-Laws of Locals—*

- (e) Locals shall adopt By-Laws governing the election of officers, the holdings of meetings, and other matters of local jurisdiction. As far as possible, there shall be uniformity in the By-Laws of the locals and the constitution of the Union. The by-laws, and amendments or additions thereto shall be first submitted to the Executive Council for approval, and shall then be submitted to a vote of the Local members for final adoption.

*Functions of Locals—*

- (f) The Locals shall promote the objects and interests of the Union, particularly in matters of local import, and shall encourage the presentation of addresses and appropriate action on subjects of interest to the Union.

*Revenue*—Membership fees of one dollar for each member of the Union shall be paid to the Provincial Treasurer to build up a fund for necessary expenses in preparing briefs, engaging legal counsel and other matters pertinent to the welfare of the Union of Saskatchewan Indians. In addition, a Local shall have authority, by By-Law, to impose upon and collect from members of such Local, such fees, dues and other levies as a majority of the members of such Local consider advisable and necessary.

*Collection and Remittance—*

- (h) A statement showing the amounts, and from whom collected, shall accompany each remittance of dues from the Locals to the Provincial Treasurer, and the Secretary-Treasurer of the Local shall assist wherever possible in the collection of fees from members, remitting the total amount of the fees so collected to the Provincial Treasurer of the Union. New application for membership may be accepted by any member of the Local.

*Annual Report—*

- (i) Each local shall submit an annual report of its proceedings and of its finances, to the Provincial Treasurer of the Union, who shall present it to the Annual General Meeting or Convention of the Union.













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